



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)

Thursday, the Eighth day of January Two Thousand Fifteen

PRESENT

THE HON`BLE MR JUSTICE P.N.PRAKASH

CRL OP(MD) No.15594 of 2014

1 R. PERIAKARUPPAN
2 P. MAHESWARI
3 P. SUDAHARAN

... PETITIONERS/ACCUSED NO.5, 4 & 2

Vs

THE INSPECTOR OF POLICE
CHINNAMANUR POLICE STATION, THENI DISTRICT.
CRIME NO.430/2014

... RESPONDENT/COMPLAINANT

For Petitioner : M/S.M.PALANI Advocate

For Respondent : MR.A.P.BALASUBRAMANIAN, Govt. Advocate (Crl. Side)

PETITION FOR ANTICIPATORY BAIL Under Sec. 438 Cr.P.C.

ORDER : The Court Made the following order :-

Apprehending arrest at the hands of the respondent police in Crime No.430 of 2014 on the file of the respondent police for offences under Sections 420 of the Indian Penal Code, the petitioners are now before this Court seeking Anticipatory Bail.

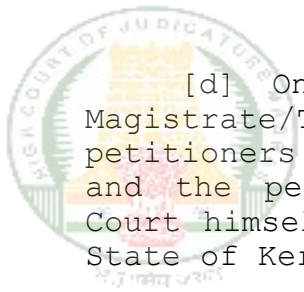
2. It is the case of the prosecution that the de-facto complainant in this case is a money lender and in the complaint, she has alleged that she had lent money to the petitioners herein on promissory notes and has also received some cheques from the petitioners. On a reading of the complaint, it essentially appears to be a civil transaction. Under such circumstances, I am inclined to grant anticipatory bail to the petitioners, but with conditions.

4. Accordingly, the petitioners are ordered to be released on bail in the event of arrest or on their appearance before the learned Judicial Magistrate, Uthammapalayam, on their executing a separate bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) with two sureties each for a like sum to the satisfaction of the respondent police or the police officer who intends to arrest or to the satisfaction of the learned Magistrate concerned and on further condition that,

(a) the petitioners shall report before the respondent police as and when required for interrogation.

[b] the petitioners shall not tamper with evidence or witness either during investigation or trial.

[c] the petitioners shall not abscond either during investigation or trial.



[d] On breach of any of the aforesaid conditions, the learned Magistrate/Trial Court is entitled to take appropriate action against the petitioners in accordance with law as if the conditions have been imposed and the petitioners released on bail by the learned Magistrate/Trial Court himself as laid down by the Hon'ble Supreme Court in P.K.Shaji vs. State of Kerala [(2005)AIR SCW 5560].

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08/01/2015

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Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

TO

1. THE JUDICIAL MAGISTRATE,
UTHAMAPALAYAM.
2. -DO- THRO THE CHIEF JUDICIAL MAGISTRATE, THENI.
3. THE INSPECTOR OF POLICE
CHINNAMANUR POLICE STATION, THENI DISTRICT.
4. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1. CC to M/S.M.PALANI Advocate SR.No. 928

SR : 13.01.2015 : 2P/6C

ORDER
IN
CRL OP(MD) No.15594 of 2014
Date :08/01/2015