



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

Tuesday, the Twenty Fifth day of August Two Thousand Fifteen

PRESENT

The Hon`ble Mr Justice K.KALYANASUNDARAM

WEB COPY

CRL OP(MD) No.16276 of 2015

1 M. NAGARAJAN
2 MOHANA KRISHANAN
3 NITHYANANDHAN
4 GOMATHI

... PETITIONERS / ACCUSED RANK NOT KNOWN

Vs

THE STATE REP.BY
THE INSPECTOR OF POLICE
AUSTIN PATTY POLICE STATION
MADURAI

(CRIME NO 856 OF 2014) ... RESPONDENT / COMPLAINANT

For Petitioner : M/S.K.RAJESWARAN Advocate

For Respondent : M/S.S.PRABHA, Govt. Advocate (Crl. Side)

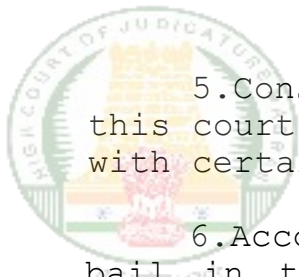
PETITION FOR ANTICIPATORY BAIL Under Sec. 438 Cr.P.C.

ORDER : The Court Made the following order :-

The petitioners, who are arrayed as accused apprehend arrest at the hands of the respondent police for the alleged offence punishable under sections 406, 420, 294(b) and 506(i) of IPC, in Crime No.856 of 2014 on the file of the respondent police and hence, seek anticipatory bail.

2.According to the de-facto complainant, A1 Raja borrowed Rs.60,00,000/- from the de-facto complainant and the amounts were deposited in the account of A4 to A6 as directed by A1 and thereafter, they failed to repay the loan amount.

3.The learned counsel for the petitioners submitted that the petitioners are innocent persons and they have not committed any offence as alleged by the prosecution. The learned counsel further submitted that the de-facto complainant is none other than the own sister of A4 and the first petitioner/A1 is the husband and the petitioners 2 and 3/A2 and A3 are the sons of the 4th petitioner/A4. It is further submitted that the transaction between A1 and the de-facto complainant is purely civil in nature and civil dispute is given a criminal colour to arm-twist the petitioners to settle the same before the respondent police.



5.Considering the above facts and circumstances of the case, this court is inclined to grant anticipatory bail to the petitioners with certain conditions.

6.Accordingly, the petitioners are ordered to be released on bail in the event of arrest or on their appearance before the learned Judicial Magistrate No.VI, Madurai and on each of them executing a 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 learned Magistrate concerned and on further condition that the petitioners shall appear before the respondent police as and when required for interrogation. The petitioners shall comply with the condition stipulated under Section 438 Cr.P.C. Scrupulously.

7.The petitioners shall appear before the concerned Magistrate within a period of 15 days from the date on which the order copy made ready, failing which, the petition for anticipatory bail stands dismissed.

sd/-
25/08/2015

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

TO

- 1.THE JUDICIAL MAGISTRATE NO.VI,
MADURAI.
 - 2.THE CHIEF JUDICIAL MAGISTRATE
MADURAI.
 - 3.THE ADDL. PUBLIC PROSECUTOR
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.
 - 4.THE INSPECTOR OF POLICE
AUSTIN PATTY POLICE STATION MADURAI
- +1. CC to M/S.K.RAJESWARAN Advocate SR.No.49302

ORDER
IN
CRL OP(MD) No.16276 of 2015
Date :25/08/2015

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