



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

Wednesday, the Sixteenth day of September Two Thousand Fifteen

PRESENT

The Hon`ble Mr Justice K.KALYANASUNDARAM

CRL OP(MD) No.17764 of 2015

1 MUTHUIRULAN

2 PANDIAN

... PETITIONERS / ACCUSED NO.1 & 2

Vs

THE STATE REP.BY

THE INSPECTOR OF POLICE

PERAIYUR POLICE STATION, MADURAI DISTRICT.

CR. NO. 132 OF 2015.

... RESPONDENT / COMPLAINANT

For Petitioner : M/S T.BASKARAN Advocate

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

PETITION FOR BAIL Under Sec. 439 Cr.P.C.

ORDER : The Court Made the following order :-

The petitioners, who are arrayed as A1 and A2, in Crime No.132 of 2015 on the file of the respondent police, were arrested and remanded to judicial custody on 30.08.2015, for the alleged offences punishable under Section 363, 344, 365, 368, 294(b), 323 and 506(i) of IPC and Section 4 of TNPPDL Act, 3(1)(VI)(XI) of SC/ST Act 1989, and hence, seek bail.

2.The case of the prosecution is that the accused received Rs.14 lakhs from the de-facto complainant assuring employment in Army and when the de-facto complainant asked them to return back the amount, she was abused and attacked by the accused.

3. The learned counsel for the petitioners submitted that the de-facto complainant was working as a Instructor in Army Coaching Centre and she gave false promise to the other persons and received Rs.10 lakhs. Since she did not fulfilment of her obligation, a case was registered against the de-facto complainant and she was also arrested and remanded to judicial custody. At this juncture, the de-facto complainant borrowed Rs.10 lakhs from the accused on executing a promissory note and she also asked the accused to come to Bangalore to settle the amount.

4.The learned counsel further submitted that the de-facto complainant did not repay the amount, as per her assurance and she came to Peraiyur and the accused asked her to return the amount, due to which, they have been falsely implicated in this case.



5.The learned counsel has also produced the promissory note executed by the de-facto complainant on 13.10.2015.

6.Heard the learned Government Advocate (Crl.side) appearing for the State.

7.Considering the facts and circumstances of the case, this Court is inclined to grant bail to the petitioners with certain conditions. Accordingly, the petitioners are ordered to be released on bail 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 Judicial Magistrate, Peraiyur, Madurai District and on further condition that the petitioners shall report before the respondent Police daily at 10.00 a.m until further orders.

sd/-
16/09/2015

/ TRUE COPY /

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

TO

- 1 THE JUDICIAL MAGISTRATE,
PERAIYUR, MADURAI DISTRICT
 - 2 THE CHIEF JUDICIAL MAGISTRATE
MADURAI.
 - 3 THE ADDL. PUBLIC PROSECUTOR
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.
 - 4 THE INSPECTOR OF POLICE
PERAIYUR POLICE STATION, MADURAI DISTRICT.
 - 5 THE SUPERINTENDENT
CENTRAL JAIL, MADURAI
- +1. CC to M/S S.MAHALINGAM, Advocate SR.No.55044

ORDER
IN
CRL OP(MD) No.17764 of 2015
Date :16/09/2015

RG.15.09.2015/PM/SAR-II 2P/7C.