



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.18012 of 2015

1 AYYAR
2 PRIYA
3 JEYA

..PETITIONERS/ACCUSED 2 to 4

Vs.

STATE REP.BY 1 THE INSPECTOR OF POLICE
UTHAMAPALAYAM POLICE STATION,
THENI DISTRICT.
(CRIME NO. 422 OF 2015)

..RESPONDENT/COMPLAINANT

For Petitioner : M/S R.VENKATESWARAN Advocate

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

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

ORDER : The Court Made the following order :-

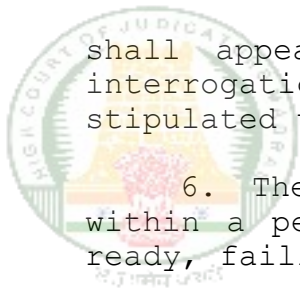
The petitioners, who are arrayed as accused Nos. 2 to 4 in Crime No.422 of 2015 on the file of the respondent police were arrested and remanded to judicial custody on 26.08.2015 for the alleged offences punishable under Sections 120(b),406,465,468,471 and 420 of IPC, seek bail.

2. According to the de facto complainant, that the first accused was working as a Collection Agent in the Shriram City Union Fiancée Limited at Cumbam Branch and he collected a sum of Rs.4,84,240/-, from the borrowers, but, failed to credit that amount in their account, thereby, mis-appropriated the said amount.

3. The learned counsel for the petitioners submitted that the petitioners are nothing to do with the de facto complainant and they have been falsely implicated in this case. It is further submitted that the A2 is the father, A3 is the wife and A4 is the father in law of A1 and they have falsely implicated in this case with an ulterior motive.

4. Per contra, the learned Government Advocate (Crl. Side) would submit that the accused 2 to 4 have actively helped to the first accused for mis-appropriation of the amount.

5. Considering the facts and circumstances of the case, I am inclined to grant anticipatory bail to the petitioners. Accordingly, the petitioners are ordered to be released on bail in the event of arrest or on their appearance before the learned Judicial Magistrate, Uthamapalayam, Theni District 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 condition that the petitioners 1 and 3 shall appear before the respondent police daily at 10.00 am for a period of two weeks and thereafter, as and when required for interrogation and the 2nd petitioner



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.

6. 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/-

16/09/2015

WEB COPY

/ TRUE COPY /

Sub-Assistant Registrar (C.S.)

TO

1 THE JUDICIAL MAGISTRATE, UTHAMAPALAYAM, THENI DISTRICT.

2 -do-thro' THE CHIEF JUDICIAL MAGISTRATE, THENI.

3 THE ADDL. PUBLIC PROSECUTOR, MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

4 THE INSPECTOR OF POLICE, UTHAMAPALAYAM POLICE STATION,
THENI DISTRICT.

+1. CC to M/S R.VENKATESWARAN Advocate SR.No.55071

ORDER IN

CRL OP(MD) No.18012 of 2015

Date :16/09/2015

PBK/AAL-MPA/SAR-II 21/09/2015 ::2P-6C::