



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

Monday, the Sixteenth day of February Two Thousand Fifteen

PRESENT

The Hon`ble Mr Justice P.N.PRAKASH

CRL OP (MD) No.1895 of 2015

1 DHANAM
2 VANNIAPPAN

... PETITIONERS/ACCUSED NOS.4&5

Vs

STATE REP BY ITS
THE INSPECTOR OF POLICE
AVANIAPURAM POLICE STATION, MADURAI DISTRICT,
CRIME NO.52/2015 ... RESPONDENT/ COMPLAINANT

For Petitioner : M/S.P.SANTHANAKRISHNAN Advocate
For Respondent : M/S.P.KANNITHEVAN, Govt. Advocate (Crl. Side)

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

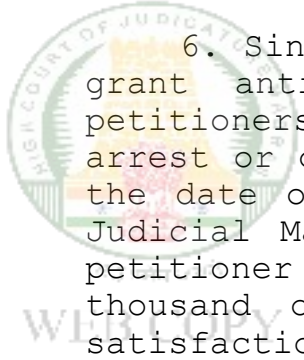
ORDER : The Court Made the following order :-

The petitioners, who apprehend arrest at the hands of the respondent police for an alleged offence punishable under Sections 114, 406 and 420 IPC in Crime No.52 of 2015 on the file of the respondent police, seek anticipatory bail.

2.Heard the learned counsel for the petitioners and the learned Government Advocate (Crl.Side) appearing for the State.

3. This Court had dismissed the anticipatory bail application of Senthil Kumar in Crl.O.P.No.13886 of 2014 on 19.01.2015 and also the anticipatory bail application of Suriya Narayanana and Senthil in Crl.O.NP.No22321 of 2014 on 22.01.2015. It is the case of the prosecution that Senthil and Suriyanarayanan were running an unregistered Chit and they had collected huge sums of amount to the tune of Rs.15 lakhs from various depositors and they had cheated them. In view of the serious allegations against them, this Court dismissed the earlier anticipatory bail applications.

5. As regards the petitioners herein, on a reading of the complaint it is seen that the first petitioner is the mother of the second petitioner and they both were working as Coolies in Abirami Oil Company, which is run by Suriyanarayanan and Senthilkumar. The allegation against these petitioners is that they have introduced the defacto complainant to Suriyanarayanan and Senthilkumar and thereafter, the defacto complainant started depositing money with the said Senthilkumar and Suriyanarayanan.



6. Since the allegations are not very serious, 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, within a period of fifteen days from the date of receipt of a copy of this order, before the learned Judicial Magistrate No.VI, Madurai, on condition that each of the petitioner shall execute 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 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 second petitioner shall appear before the respondent police daily at 10.30 a.m for a period of two weeks and thereafter, as and when required for interrogation and the first petitioner shall appear before the respondent police as and when required.

[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]**. The Inspector of Police concerned is directed to send a compliance report to the office of the learned Government Advocate (Crl.side) as to whether the petitioners are complying with the order or not.

sd/-

16/02/2015

/ TRUE COPY /

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

TO

1.THE JUDICIAL MAGISTRATE NO.VI, MADURAI
2.DO THROUGH THE CHIEF JUDICIAL MAGISTRATE, MADURAI DISTRICT
3.THE ADDITIONAL PUBLIC PROSECUTOR
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI
4.THE INSPECTOR OF POLICE
AVANIAPURAM POLICE STATION, MADURAI DISTRICT,
+1. CC to M/S.P.SANTHANAKRISHNAN Advocate SR.No.7252
RL/6 C- 18/2/2015

ORDER

IN

CRL OP(MD) No.1895 of 2015

Date :16/02/2015