



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

Wednesday, the Twenty Fifth day of November Two Thousand Fifteen

PRESENT

The Hon`ble Ms.Justice V.M.VELUMANI

CRL OP(MD) No.19894 of 2015

T.S. SUDHARSAN

... PETITIONER / ACCUSED NO.3

Vs

THE STATE REP.BY
THE INSEPECTOR OF POLICE
(*)CITY CRIME BRANCH,
THIRUNELVELI CITY,
TIRUNELVELI DISTRICT,
CR. NO.06 OF 2010

... RESPONDENT / COMPLAINANT

**(*)Amended as per the order of
this Honourable Court dated
15.10.2015 and made in MP(MD)No.1/2015
in Crl.O.P(MD)No.19894/2015.**

For Petitioner : M/S M.PITCHAI MUTHU Advocate

For Respondent : MR.K.ANBARASAN, Govt. Advocate (Crl. Side)

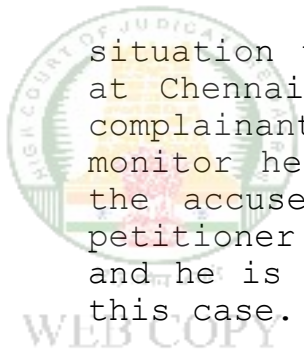
PETITION FOR ANTICIPATORY BAIL Under Sec. 438 Cr.P.C.

ORDER : The Court Made the following order :-

The petitioner, who is arrayed as accused No.3 in Crime No.6 of 2010 of 2015 on the file of the respondent police apprehends arrest at the hands of the respondent police for the alleged offences punishable under Sections 120(b), 467, 468, 471, 419 and 420 I.P.C. and hence seeks anticipatory bail.

2.The case of the prosecution is that the de facto complainant opened a DP Client Account with the India Info Line Private Limited at Tirunelveli and through that account, she purchased the shares in the name of de facto complainant, her husband and her two daughters, in the year 2007. Subsequently, she came to know that the accused 1 and 2 were sold the shares of her family to the fourth accused and they had opened a new bank account in the name of the de facto complainant and her family members by impersonation. When she approached the accused 3 and 5 and made a complaint, they failed to prevent the accused 1 and 2 and did not take any steps to stop illegal activities of the accused 1 and 2.

3.The learned counsel for the petitioner submitted that the petitioner is working as a manager of the company and the company will monitor the situation every day and used to inform the market



situation to their clients and the de facto complainant is staying at Chennai and her husband is employed at Kerala. The de facto complainant handed over the documents to the accused 1 and 2 to monitor her shares personally and by taking advantage of the same the accused 1 and 2 sold the same to the fourth accused. The petitioner being the manager, is nothing to do with the transaction and he is an innocent person and he has been falsely implicated in this case.

4.The learned Government Advocate (Crl.side) submitted that that the petitioner has also participated in the alleged crime and he has not taken any steps to stop the illegal activities of other accused.

5.It is seen from the complaint that no allegation is made against the petitioner, except that he did not take any action on the complaint given by the de facto complainant. Considering the facts and circumstances of the case, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions.

6.Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on his appearance before the learned Judicial Magistrate No.I, Tirunelveli and on 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 petitioner shall appear before the respondent police as and when required for interrogation. The petitioner shall comply with the condition stipulated under Section 438 Cr.P.C. Scrupulously.

7.The petitioner 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/-
25/11/2015

/ TRUE COPY /

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

TO

- 1 THE JUDICIAL MAGISTRATE NO.I, TIRUNELVELI.
 - 2 THE CHIEF JUDICIAL MAGISTRATE, TIRUNELVELI.
 - 3 THE ADDL. PUBLIC PROSECUTOR
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.
 - 4 THE INSEPECTOR OF POLICE
CITY CRIME BRANCH, THIRUNELVELI CITY, TIRUNELVELI DISTRICT.
- +1. CC to M/S M.PITCHAI MUTHU Advocate SR.No.67424

ORDER
IN
CRL OP (MD) No.19894 of 2015
Date : 25/11/2015