



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

Tuesday, the Second day of June Two Thousand Fifteen

PRESENT

THE HON'BLE MR JUSTICE K.KALYANASUNDARAM

CRL OP(MD) No.21004 of 2014

T. BALAPRAJAPATHI

... PETITIONERS / ACCUSED NO.3

Vs

THE INSPECTOR OF POLICE,
EOW WING,
TIRUNELVELI, TIRUNELVELI DISTRICT.
(CRIME NO.7 OF 2014)

... RESPONDENT / COMPLAINANT

For Petitioner : M/S.S.CHELLAPANDIAN Advocate

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

For Intervenor : M/S.K.P.S.MANIMOZHI GIDEON

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 apprehend arrest at the hands of the respondent police in Crime No.7 of 2014 for the offences under Sections 120(B), 406 and 420 IPC and seeks anticipatory bail.

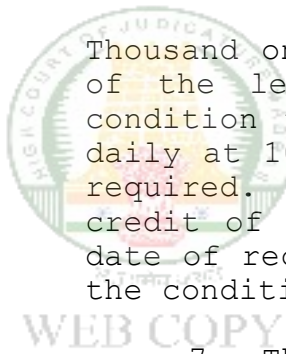
2. The case of the prosecution is that the accused were running the unregistered Chit Company and collected a sum of Rs.20,34,400/- from the depositors, but failed to return the amount after maturity.

3. The learned counsel for the petitioner submitted that the accused Nos.1 and 2 were already arrested and released on bail and even according to the defacto complainant, the petitioner had taken a sum of Rs.2,00,000/- from the Chit Company and he is ready to deposit that amount to the credit of Crime No.7 of 2014 on the file of the respondent police.

4. The learned counsel for the intervenor vehemently opposed the application stating that the total amount involved is more than Rs.20 lakhs and the poor depositors have been cheated by the accused and therefore, the petitioner is not entitled for anticipatory bail.

5. The learned Government Advocate (crl. Side) submitted that the accused Nos.1 and 2 were already arrested and released on bail and the major part of the investigation is over.

6. Considering the facts and circumstances of the case and also considering the submissions of the learned counsel for the petitioner, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions. Accordingly, the petitioner is ordered to be released on bail on his 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 No.I, Tirunelveli and on further condition that the petitioner shall appear before the respondent police daily at 10.00 a.m. for a period of two weeks and thereafter as and when required. The petitioner shall deposit a sum of Rs.2,00,000/- to the credit of the Crime No.7 of 2014 within a period of two weeks from the date of receipt of a copy of this order. 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/-
02/06/2015

(**) This application is filed to amend the name of the petitioner as T.Balaprajapathi instead of T.Balarajapathi and also to surrender before the Chief Judicial Magistrate, Tirunelveli instead of Judicial Magistrate No.I, Tirunelveli.

2. Heard the learned Government Advocate (Crl.side).

3. The amendment petition is allowed only to amend the name of the petitioner as T.Balaprajapathi instead of T.Balarajapathi and the petitioner is directed to furnish sureties to the satisfaction of the learned Judicial Magistrate No.1, Tirunelveli

4. Time is extended for a period of two weeks from the date on which the order copy is made ready.

sd/-
26/06/2015

((*) () Amended as per order dated.26/06/2015
and made in MP(MD)NO.1 OF 2015 IN CRL OP(MD)NO.21004 OF 2014
/ 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 -DO-THRO THE CHIEF JUDICIAL MAGISTRATE
TIRUNELVELI DISTRICT
- 3 THE SUPERINTENDENT OF POLICE
TIRUNELVELI DISTRICT, TIRUNELVELI
- 4 THE INSPECTOR OF POLICE
EOW WING, TIRUNELVELI, TIRUNELVELI DISTRICT.
- 5 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1. CC to M/S.S.CHELLAPANDIAN Advocate SR.No.34213
Sm:04.06.2015:2P/7C
DM 1 7 15

ORDER IN
CRL OP(MD) No.21004 of 2014
Date :02/06/2015