



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

Wednesday, the Fourth day of November Two Thousand Fifteen

PRESENT

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

CRL OP(MD) No.21128 of 2015

1 VIJI KUTTY
2 BALAMURUGAN

... PETITIONERS/ACCUSED NOS.1&2

Vs

STATE REP BY
THE INSEPECTOR OF POLICE
CENTRAL POLICE STATION,TUTICORIN DISTRICT,
(CRIME NO.485 OF 2015) ... RESPONDENT/ COMPLAINANT

For Petitioner : M/S T.RAMASAMY Advocate
For Respondent : M/S.K.ANBARASAN, Govt. Advocate (Crl. Side)

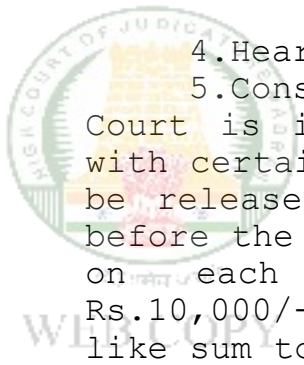
PETITION FOR ANTICIPATORY BAIL Under Sec. 438 Cr.P.C.

ORDER : The Court Made the following order :-

The petitioners, who are arrayed as accused Nos.1 & 2, in Crime No.485 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 420, 294(b) and 506(i) IPC and hence, seek anticipatory bail.

2.The case of the prosecution is that the defacto complainant lodged a complaint stating that the petitioners have not repaid the amount for the work done by the defacto complainant and therefore, he has given a complaint and the same was registered in Crime No.485 of 2015 for the offence under Sections 420, 294(b) and 506(i) IPC.

3.It is submitted by the learned counsel for the petitioners that the defacto complainant is the former employee of Akshaya Traders, where the first petitioner is the owner of Akshaya Traders and the second petitioner is the husband of the first petitioner. The defacto complainant left the Company long back and looted some amount and to escape his liability, he has given a false complaint against these petitioners. He would also submit that earlier, the same complainant gave complaint before the respondent police and after enquiry, it was closed. Subsequently, the defacto complainant filed Crl.O.P.(MD) No.17150 of 2015 for direction to register the complaint and as per the direction of this Court, FIR has been registered.



4. Heard the learned Government Advocate (Crl.Side).

5. Considering the facts and circumstances of the case, this Court is inclined to grant anticipatory bail to the petitioners, with certain conditions. Accordingly, the petitioners are ordered to be released on bail in the event of arrest or on his appearance before the learned Judicial Magistrate No.II, Tuticorin 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 further condition that the first petitioner shall report before the respondent police as and when required and the second petitioner shall appear before the respondent police daily at 10.00 a.m. until further orders. 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/-

04/11/2015

/ TRUE COPY /

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

TO

1. THE JUDICIAL MAGISTRATE NO.II, TUTICORIN DISTRICT
2. DO THROUGH THE CHIEF JUDICIAL MAGISTRATE, TUTICORIN DISTRICT
3. THE ADDITIONAL PUBLIC PROSECUTOR
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI
4. THE INSEPECTOR OF POLICE, CENTRAL POLICE STATION,
TUTICORIN DISTRICT,

+1. CC to M/S T.RAMASAMY Advocate SR.No.64931
RL/6C/SKS/RR/SAR I/16/11/2015

ORDER

IN

CRL OP (MD) No.21128 of 2015

Date : 04/11/2015