



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Tuesday, the Twentieth day of January Two Thousand Fifteen

PRESENT

The Hon`ble Mr Justice P.N.PRAKASH

CRL OP(MD) No.22528 of 2014

PANDARASAMY

..PETITIONER/ACCUSED No.8

S.R.KANNAPPAN

..INTERVENOR

Vs.

STATE REP.BY THE INSPECTOR OF POLICE
KARUPPAYURANI POLICE STATION, MADURAI.
CRIME NO.573/2014

..RESPONDENT/COMPLAINANT

For Petitioner : M/S.ANTONY S.PRABAHAR Advocate
For Respondent : Mr.C.RAMESH, Additional Public Prosecutor
For Intervenor : Mr.M.KANNAN, Advocate

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

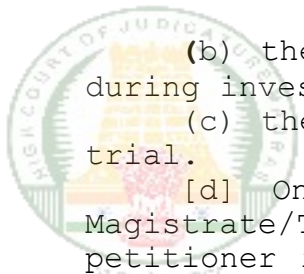
ORDER : The Court Made the following order :-

Apprehending arrest at the hands of the respondent police in Crime No.573 of 2014 on the file of the respondent police for offences under Sections 120(B), 294(b), 323, 406, 420 and 506(i) of the Indian Penal Code, the petitioner is now before this Court seeking Anticipatory Bail.

2. It is the case of the prosecution that A1 was working as an accountant in the pawn broker shop of the defacto complainant since 2006 and thereby he earned the confidence of the defacto complainant. The defacto complainant left the affairs of the shop in the control of A1. During the marriage of A1's daughter (A4), he had borrowed lot of money from various persons and he was not able to repay. A1's wife was seriously ill and for her medical expenses also A1 had borrowed money from outsiders. Since his creditors startling pressurising him for return of the borrowed amounts, A1 decided to misappropriate money from the defacto complainant's shop and accordingly, it is alleged that he has misappropriated around Rs.22,66,000/-. A7 in this case is the brother of A1 and he had helped A1 by giving ornaments from his shop to show accounts to the defacto complainant.

3. The police have arrested A1, A2 and A7. This petitioner is related to A7. This Court already granted anticipatory bail to the daughter and son-in-law of A1. This petitioner is also on the same footing and therefore, this Court is inclined to grant anticipatory bail to the petitioner but with conditions. 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.II, Madurai, 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 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 petitioner shall appear before the respondent police daily at 10.30 a.m. for a period of two weeks and thereafter the petitioner shall appear before the respondent police as and when required for interrogation.



(b) the petitioner shall not tamper with evidence or witness either during investigation or trial.

(c) the petitioner 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 petitioner in accordance with law as if the conditions have been imposed and the petitioner 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]**.

sd/-
20/01/2015

/ TRUE COPY /

Sub-Assistant Registrar (C.S.)

TO

1 THE JUDICIAL MAGISTRATE NO.II, MADURAI.

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

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

4 THE INSPECTOR OF POLICE, KARUPPAYURANI POLICE STATION, MADURAI.

+1. CC to M/S.ANTONY S.PRABAHAR Advocate SR.No.2418

ORDER IN
CRL OP(MD) No.22528 of 2014
Date :20/01/2015

PBK 22/01/2015 ::2P-6C: