



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

Tuesday, the Eighth day of December Two Thousand Fifteen

PRESENT

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

CRL OP(MD) No.23112 of 2015

1 M. JOSEPH RAJA  
2 WINNARASI

... PETITIONERS/ACCUSED No.1 & 2

Vs

THE STATE REP.BY.  
THE INSPECTOR OF POLICE  
THATTARMADAM POLICE STATION,  
SATHANKULAM TALUK,  
THOOTHUKUDI DISTRICT.  
(CRIME NO. 177 OF 2015)

... RESPONDENT / COMPLAINANT

For Petitioner : M/S S.BHARATHY KANNAN 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 :-

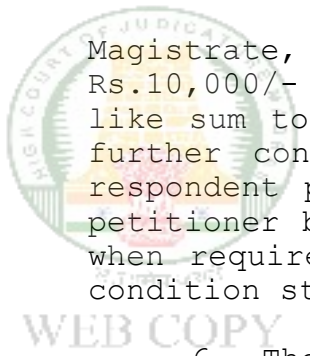
The petitioners, who are arrayed as accused Nos.1 and 2, apprehend arrest at the hands of the respondent police for the alleged offences punishable under Section 406 of IPC in Crime No.177 of 2015 on the file of the respondent police and hence, seek anticipatory bail.

2. The case of the prosecution is that on 17.09.2014 the petitioners have borrowed some jewels from the de facto complainant, but without her knowledge pledged the jewels with Muthoot Finance to raise a loan of Rs.2,00,000/-. Hence, a case has been registered against the petitioners.

3. The learned counsel appearing for the petitioners submitted that this Court by order dated 05.10.2015, granted anticipatory bail to the petitioners, but, the petitioners did not comply with the condition imposed by this Court. Hence, the present petition has been filed by the petitioners on the ground that the order copy made ready and delivered by the Registry on 14.10.2015 and in the meantime, during the last week of September 2015, the second petitioner was hospitalised due to pregnancy and after surgery she gave a male child on 26.09.2015.

4. The learned Government Advocate (Crl. Side) would submit that the investigation of the case is pending.

5. Considering the facts and circumstances of the case and also the fact that this Court has already granted anticipatory bail to the petitioners in Crl.O.P(MD).No.13654 of 2015, I am 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 their appearance before the learned Judicial



Magistrate, Sathankulam and on their executing a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) each 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 appear before the respondent police daily at 10.00 am until further orders and the second petitioner being a lady shall appear before the respondent police as and when required for interrogation. 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/-  
08/12/2015

/ TRUE COPY /

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

TO

1 THE JUDICIAL MAGISTRATE  
SATHANKULAM

2 DO THRO THE CHEIF JUDICIAL MAGISTRATE  
TUTICORIN DISTRICT

3 THE INSPECTOR OF POLICE  
THATTARMADAM POLICE STATION,  
SATHANKULAM TALUK,  
THOOTHUKUDI DISTRICT.

4 THE ADDITIOANL PUBLIC PROSECUTOR  
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1. CC to M/S S.BHARATHY KANNAN Advocate SR.No.69985

ORDER  
IN  
CRL OP(MD) No.23112 of 2015  
Date :08/12/2015

AM/10.12.2015/SK.SKN/SAR-II/2P/6C