



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

Wednesday, the Sixteenth day of December Two Thousand Fifteen

PRESENT

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

CRL OP(MD) No.23509 of 2015

1 SURESH
2 MANIKANDAN
3 PALANIYAPPAN
4 MURUGANANTHAM

... PETITIONERS/ACCUSED No.1 TO 4

Vs

THE STATE REP. BY
THE INSPECTOR OF POLICE,
CITY CRIME BRANCH, MADURAI CITY.
(IN CRIME NO.80 OF 2014)

... RESPONDENT/COMPLAINANT

FOR PETITIONER : M/S R.UDHAYAKUMAR ADVOCATE
FOR RESPONDENT : MR.K.ANBARASAN, GOVERNMENT ADVOCATE (CRL. SIDE)

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

ORDER : The Court Made the following order :-

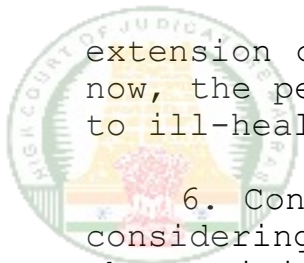
The petitioners, who are arrayed as accused Nos.1 to 4, in Crime No.80 of 2014 on the file of the respondent police, apprehend arrest at the hands of the respondent police for the alleged offences punishable under Sections 406, 420, 120(b), 468, 471 and 506(i) of the Indian Penal Code and hence, seek anticipatory bail.

2. The case of the prosecution is that the petitioners acted as agent of Krishna Promoters and collected amount from various persons. Subsequently, they have not executed any sale deed in favour of the buyers and thereby, misappropriated the amounts and also threatened the defacto complainant with dire consequences.

3. The learned counsel for the petitioners submitted that the petitioners are innocent persons and they acted only as agent of Krishna Promoters and they have collected the amounts and remitted the same to the account of Krishna Promoters.

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

5. This Court by an order dated 29.10.2015 granted anticipatory bail to the petitioners with certain conditions, one of the condition is to execute the sureties. But, the petitioners did not execute the sureties in time and filed a petition for extension of time in M.P(MD)No.1 of 2015. On 01.12.2015, the petition for



extension of time has been dismissed as withdrawn by this Court and now, the petitioners have filed this petition on the ground that due to ill-health, they were unable to execute the sureties in time.

6. Considering the facts and circumstances of the case and also considering the fact that this Court granted anticipatory bail to the petitioners on 29.10.2015, 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 No.1, Madurai 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 petitioners shall appear before the respondent police daily at 10.00 a.m., for a period of two weeks and thereafter as and when required for interrogation. The petitioners shall comply with the conditions stipulated under Section 438 Cr.P.C. scrupulously.

7. 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/-
16/12/2015

/ TRUE COPY /

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

TO

1. THE JUDICIAL MAGISTRATE NO.I,
MADURAI.
2. DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
MADURAI.
3. THE INSPECTOR OF POLICE,
CITY CRIME BRANCH, MADURAI CITY.
4. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.

+1. CC to M/S R.UDHAYAKUMAR Advocate SR.No. 72096

ORDER
IN
CRL OP(MD) No.23509 of 2015
Date :16/12/2015