



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)
Tuesday, the Sixth day of January Two Thousand Fifteen
PRESENT

The Hon`ble Mr Justice P.N.PRAKASH

CRL OP(MD) No.23459 of 2014

WEB COPY

1 L.ALAGUSUNDARAM
2 R.SARAVANAN
3 C.DANIEL DHINAKARAN

... PETITIONERS/ACCUSED 1 TO 3

Vs

THE STATE REP BY
THE INSPECTOR OF POLICE
DISTRICT CRIME BRANCH,
MADURAI DISTRICT.
MADURAI.
CRIME NO.54 OF 2014

... RESPONDENT/COMPLAINANT

For Petitioner : M/S.T.R.JEYAPALAM Advocate

For Respondent : Mr.A.P.BALASUBRAMANI,
Govt. Advocate (Crl. Side)

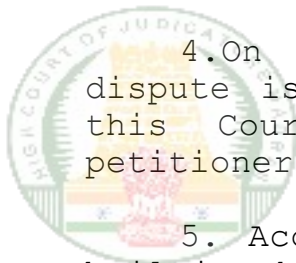
PETITION FOR ANTICIPATORY BAIL Under Sec. 438 Cr.P.C.

ORDER : The Court Made the following order :-

The petitioners, who apprehend arrest at the hands of the respondent police for the alleged offences punishable under Sections 468, 471, 420 and 34 of IPC in Cr.No.54 of 2014 on the file of the respondent police, seek anticipatory bail.

2.This case has been registered pursuant to a direction issued under Section 156(3) Cr.P.C by the learned Judicial Magistrate, No.I, Madurai.

3. These petitioners are directors of one Mahalakshmi Textiles Mills Limited. The said Company went into liquidation and thereafter, its financial status recovered and the management passed on to the hands of these petitioners. Whilso, one of the creditors of the Company has executed a decree against the Company and brought a property of the Company to sale. The company's property was purchased by one Peter through Court auction in the year 2008. These petitioners are taking steps to set aside the sale of the Company's property to Peter and they are taking vigorous steps for filing various applications before the Executing Court. Whiles, the Manager of the said Peter has lodged the present complaint alleging that these petitioners ought not to have been made the Directors of the Company.



4. On a complete perusal of the F.I.R, it is seen that the dispute is essentially civil in nature. Under such circumstances, this Court is inclined to grant Anticipatory Bail to the petitioners.

5. Accordingly, the petitioners are ordered to be released on bail in the event of arrest or on their appearance, within a period of fifteen days from the date of receipt of a copy of this order, before the learned Judicial Magistrate No.I, Madurai, on condition that the petitioners shall execute a separate 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 petitioners shall report before the respondent police as and when required for interrogation.

[b] the petitioners shall not tamper with evidence or witness either during investigation or trial.

[c] the petitioners shall not abscond either during investigation or trial.

[d] On breach of any of the aforesaid conditions, the learned Judicial Magistrate/Trial Court is entitled to take appropriate action against the petitioners in accordance with law as if the conditions have been imposed and the petitioners released on bail by the learned Judicial 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/-

06/01/2015

/ TRUE COPY /

Sub-Assistant Registrar (C.S.)

TO

1 THE JUDICIAL MAGISTRATE, NO.I, MADURAI

2 -DO-THRO'THE CHIEF JUDICIAL MAGISTRATE MADURAI

3 THE INSPECTOR OF POLICE DISTRICT CRIME BRANCH, MADURAI DISTRICT.
MADURAI.

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

+1. CC to M/S.T.R.JEYAPALAM Advocate SR.No.629

ORDER IN

CRL OP(MD) No.23459 of 2014

Date :06/01/2015