



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

Monday, the Twenty First day of December Two Thousand Fifteen

PRESENT

The Hon`ble Mr Justice S.VAIDYANATHAN

CRL OP(MD) No.24252 of 2015

K. RAMASUBRAMANIAN

... PETITIONER / ACCUSED No.2

Vs

State rep.by its  
THE INSPECTOR OF POLICE  
CENTRAL CRIME BRANCH,  
MADURAI CITY,

... RESPONDENT / COMPLAINANT

For Petitioner : M/S N.DILIP KUMAR 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 :-

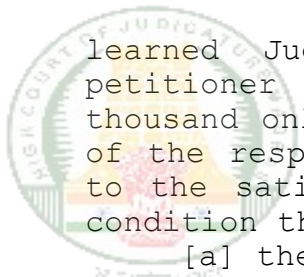
The petitioner, who apprehends arrest at the hands of the respondent Police for the alleged offence punishable under Sections 120(B), 420 and 468 IPC in Crime No.57 of 2015 on the file of the respondent Police, seeks anticipatory bail.

2.The case of the prosecution is that the accused represented that they are going to sell the company viz., Kirthick Chemicals for Rs.1.70 crores and on 26.03.2012 the de facto complainant has entered into an agreement to purchase the company for a total sale consideration of Rs.1.70 crores and paid Rs.73 lakhs towards advance and the accused have agreed to give possession to the de facto complainant, but they were delaying to hand over the possession to the de facto complainant and thereafter, the de facto complainant had invested Rs.62 lakhs to run the company and thereafter, on 07.01.2013, the accused have agreed to pay Rs.85 lakhs on or before 31.03.2013 and in the mean time, they also agreed to execute the power of attorney in favour of the de facto complainant as security and A2 paid only Rs.3.50 lakhs on 05.08.2014 and the balance was not paid and the cheque issued for discharge of the liability was also dishonoured and later, the de facto complainant came to know that the accused had already made encumbrance in respect of the same property.

3.Heard the learned counsel appearing for the petitioner and the learned Government Advocate (Crl.side) appearing for the respondent.

4.The learned counsel for the petitioner submitted that the petitioner is ready to deposit a sum of Rs.10 lakhs without prejudice to his rights.

5.Considering the above, I am inclined to grant anticipatory bail to the petitioner. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on his 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 petitioner shall execute 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 report before the respondent police daily at 10.30 am until further orders.

[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] the petitioner is directed to deposit a sum of Rs.10 lakhs to the credit of Crime No.57 of 2015 before the learned Judicial Magistrate No.I, Madurai, on or before 05.01.2016 and on receipt of the same.

[e] On breach of any of the aforesaid conditions, the learned Magistrate 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 himself as laid down by the Hon'ble Supreme Court in P.K.Shaji vs. State of Kerala [(2005)AIR SCW 5560].

6.The Inspector of Police concerned is directed to send compliance report to the office of the learned Additional Public Prosecutor whether the petitioner is complying with the order or not.

7.The petitioner 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/-

21/12/2015

/ 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-thro THE CHIEF JUDICIAL MAGISTRATE, MADURAI

3 THE INSPECTOR OF POLICE  
CENTRAL CRIME BRANCH,  
MADURAI CITY

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

+1. CC to M/S N.DILIP KUMAR Advocate SR.No.75834

sm:sks-rr:SAR II:22.12.2015:2p/6C

ORDER

IN

CRL OP(MD) No.24252 of 2015

Date :21/12/2015