



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

Monday, the Ninth day of March Two Thousand Fifteen

PRESENT

THE HON`BLE MR JUSTICE P.N.PRAKASH

CRL OP(MD) No.3213 of 2015

1 R. SHANMUGAM

2 S. SATHIYA MURTHI

... PETITIONERS/ACCUSED RANK NOT KNOWN

Vs

THE INSPECTOR OF POLICE

CENTRAL CRIME BRANCH UNIT II, MADURAI,

CRIME NO. NOT KNOWN OF 2015

... RESPONDENT/COMPLAINANT

For Petitioner : M/S.K.P.NARAYANAKUMAR Advocate

For Respondent : MR.A.P.BALASUBRAMANIAN, Govt. Advocate (Crl. Side)

For Intervenor : MR.RAJ MOHAN, Advocate

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

ORDER : The Court Made the following order :-

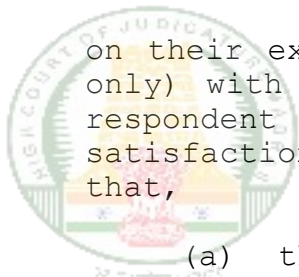
Heard the learned counsel for the petitioners, the learned Government Advocate (Crl.side) and the learned counsel for the intervenor.

2. The learned counsel appearing for the intervenor very strongly objected to grant of anticipatory bail to the petitioners.

3. The learned Government Advocate (Crl.side) submitted that a regular case in Crime No.35 of 2015 for offences under Sections 294(b), 417, 506(ii) of I.P.C. has been registered on 07.03.2015 against the petitioners.

4. On a reading of the complaint, it appears that the de-facto complainant is a Manager of Swamy Feeds which had supplied poultry feeds to the accused, who is a owner of Shrivee Traders. There appears to be business dealings with the de-facto complainant company and the accused, on account of which, it is stated by the de-facto complainant that the accused owes a sum of Rs.20,91,458/-. It is alleged by the de-facto complainant that when the de-facto complainant went to the shop of the accused to collect the money, the accused instigated his men to intimidate the de-facto complainant. No one is injured in this case. If there is any dispute with regard to recovery of money, the de-facto complainant should approach the civil Court.

5. Taking into consideration the nature of allegations in the complaint, this Court is of the view that this is a fit case for granting anticipatory bail to the petitioners. Accordingly, the petitioners are 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 their 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 petitioners shall report before the learned Judicial Magistrate No.I, Madurai at 10.00 a.m. for a period of two weeks and thereafter as and when required for interrogation by the respondent police.

[b] the petitioners shall give their thumb impressions, specimen signatures and handwritings.

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

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

[e] On breach of any of the aforesaid conditions, the learned 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 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]*.

[f] The Inspector of Police concerned is directed to send a compliance report to the office of the learned Government Advocate, as to whether the petitioners are complying with the condition or not.

sd/-
09/03/2015

/ 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
CENTRAL CRIME BRANCH UNIT II, MADURAI.
 4. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.
- +1. CC to M/S.K.P.NARAYANAKUMAR Advocate SR.No. 11207
- SR : 12.03.2015 : 2P/6C

ORDER
IN
CRL OP(MD) No.3213 of 2015
Date :09/03/2015