



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

Thursday, the Twelfth day of March Two Thousand Fifteen
PRESENT

THE HON`BLE MR JUSTICE P.N.PRAKASH
CRL OP(MD) No.4586 of 2015

WEB COPY

K.SAKTHIVEL

... PETITIONER / 4th ACCUSED

Vs

THE INSPECTOR OF POLICE
ECONOMIC OFFENCES WING II,
DINDIGUL DISTRICT.
(CRIME NO.2/2014)

... RESPONDENT / COMPLAINANT

For Petitioner : M/S.R.G.SHANKAR GANESH Advocate

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

PETITION FOR BAIL Under Sec. 439 Cr.P.C.

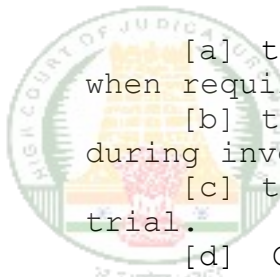
ORDER : The Court Made the following order :-

The petitioner, who was arrested and remanded to judicial custody on 25.02.2015 for the offences punishable under Sections 496, 420 r/w 120(B) of Indian Penal Code in C.C.No.17 of 2014, on the file of the Special Court under the Tamil Nadu Protection of Interest of Depositors (In Financial Establishment) Act, 1997, Madurai, seeks bail.

2. Heard the learned counsel for the petitioner and the learned Government Advocate (criminal side) for the respondent police.

3. It is seen that this petitioner was initially arrested in Crime No.2 of 2014 and was released on bail. The police completed the investigation and filed final report in C.C.No.17 of 2014 before the Special Court under the Tamil Nadu Protection of Interest of Depositors (In Financial Establishment) Act, 1997, Madurai. The petitioner appeared before the Trial Court on the first hearing date and thereafter, the case was adjourned to 31.12.2014 for further hearing. In the meantime, the petitioner was arrested by the Inspector of Police, District Crime Branch, Dindigul in Crime No.166 of 2014 on 18.12.2014 and therefore, he was not able to appear before the TNPID Court in this case on 31.12.2014. The police also did not inform the TNPID Court about the arrest of this petitioner in Crime No.166 of 2014 on 18.12.2014. Therefore, the TNPID Court has issued a non-bailable warrant. It appears that this petitioner was granted bail in Crime No.166 of 2014 on 05.02.2015 and was released from custody on 06.02.2015. Thereafter, this petitioner was arrested in execution of the non bailable warrant issued by the TNPID Court on 25.02.2015 and he is in incarceration since then.

4. Taking into consideration the aforesaid facts, this Court is of the view that it is a fit case to grant bail to this petitioner. Accordingly, the petitioner is ordered to be released on bail on his executing a bond for a sum of Rs.10,000/- (Rupees Ten Thousand Only) with ~~services score to govt, services~~ for a like sum to the satisfaction of the Special Court under the Tamil Nadu Protection of Interest of Depositors (In Financial Establishment) Act, 1997, Madurai and on further condition that:



[a] the petitioner shall report before the respondent police as and when required for interrogation.

[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] On breach of any of the aforesaid conditions, the learned Magistrate/Trial Court 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/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/-

12/03/2015

/ TRUE COPY /

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

TO

- 1 THE SPECIAL JUDGE
UNDER THE TAMIL NADU PROTECTION OF INTEREST
OF DEPOSITORS (IN FINANCIAL ESTABLISHMENT)
ACT, 1997, MADURAI.
- 2 THE SUPERINTENDENT, CENTRAL PRISON, MADURAI.
- 3 THE INSPECTOR OF POLICE
ECONOMIC OFFENCES WING II,
DINDIGUL DISTRICT.
- 4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1. CC to M/S.R.G.SHANKAR GANESH Advocate SR.No.11880

Sm:13.03.2015:2P/6C:

ORDER
IN
CRL OP(MD) No.4586 of 2015
Date :12/03/2015