



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

Monday, the Fourteenth day of September Two Thousand Fifteen
PRESENT

The Hon`ble Mr Justice K.KALYANASUNDARAM
CRL OP(MD) No.5258 of 2015

WEB COPY

1 JEYAPPAUL THOAMS @ JEYAPPAUL

2 SMILA ANNARANI ... PETITIONERS/ACCUSED NO.1 & 2

Vs

THE STATE REP.BY
THE INSPECTOR OF POLICE,
KODAIKANAL POLICE STATION,
DINDIGUL DISTRICT.
(CRIME NO. 78 OF 2015) ... RESPONDENT/COMPLAINANT

FOR PETITIONER : M/S.P.T.RAMESH RAJA ADVOCATE

FOR RESPONDENT : MRS.S.PRABHA, GOVERNMENT ADVOCATE (CRL.SIDE)

FOR INTERVENOR : MR.V.ILANCHEZIAN, ADVOCATE

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

ORDER : The Court Made the following order :-

The petitioners, who are arrayed as A1 and A2, apprehend arrest at the hands of the respondent police for the alleged offence punishable under Sections 420 and 506(i) of I.P.C. in Crime No.78 of 2015 on the file of the respondent police and hence, seek anticipatory bail.

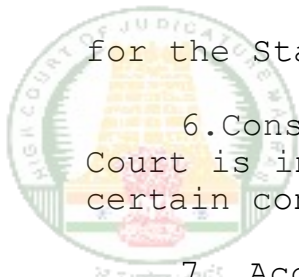
2.According to the de-facto complainant on the representation of the accused, he has invested Rs.10 lakhs in the real estate business run by the accused and the accused have not given proper accounts and they did not pay any profit to the de-facto complainant.

3.The learned counsel for the petitioner submitted that the petitioners are innocent and they have been falsely implicated in this case and even as per the allegation, the de-facto complainant has invested money only in a partnership business and if there is any dispute, he has to approach only civil Court.

4.The learned counsel for the intervenor filed an affidavit dated 09.09.2015 stating that he had received the entire amount of Rs.10 lakhs and he has no intention to prosecute the case and it is further stated that the dispute between the accused and the de-facto complainant has been settled amicably.

<https://hcservices.ecourts.gov.in/hcservices/>

5.Heard the learned Government Advocate (Crl.side) appearing



for the State.

6. Considering the facts and circumstances of the case, this Court is inclined to grant anticipatory bail to the petitioners with certain conditions.

7. Accordingly, the petitioners are ordered to be released on bail in the event of arrest or on their appearance before the learned Judicial Magistrate, Kodaikanal and on each of them executing a own bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) 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 as and when required for interrogation. The petitioners shall comply with the condition stipulated under Section 438 Cr.P.C. scrupulously.

8. 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/-
14/09/2015

/ TRUE COPY /

Sub-Assistant Registrar (C.S.)

TO

1. THE JUDICIAL MAGISTRATE, KODAIKANAL
2. DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
DINDIGUL DISTRICT.
3. THE INSPECTOR OF POLICE,
KODAIKANAL POLICE STATION,
DINDIGUL DISTRICT.
4. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1. CC to M/S.P.T.RAMESH RAJA Advocate SR.No. 54273

ORDER
IN
CRL OP(MD) No.5258 of 2015
Date :14/09/2015

2P/6C
TE/JGB-DP/SAR-I 18/09/2015