



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

Friday, the Twenty Fourth day of April Two Thousand Fifteen

PRESENT

The Hon`ble Mr Justice K.KALYANASUNDARAM

CRL OP(MD) No.5500 of 2015

WEB COPY

1 SANKAR
2 KANDESWARI

... PETITIONERS/ ACCUSED NO.1 & 2

Vs

THE STATE REP.BY
THE INSPECTOR OF POLICE
VANNIAMPATTI POLICE STATION, VIRUDHUNAGAR
DIST, CR.NO.53/2014

... RESPONDENT/ COMPLAINANT

For Petitioner : M/S.G.MARIAPPAN Advocate

For Respondent : MR.K.V.RAJARAJAN, Govt. Advocate (Crl. Side)

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

ORDER : The Court Made the following order :-

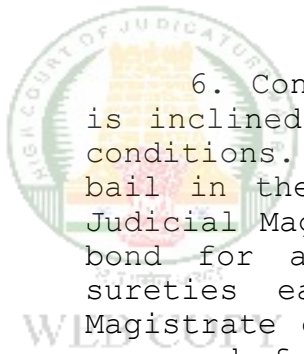
The petitioners, who are arrayed as accused No.1 and 2 apprehend arrest at the hands of the respondent police for the alleged offence punishable under Sections 406, 420, 506(i) I.P.C. and 5(e)(iii) of the Price Chits and Money Circulation Schemes (Banning) Act 1978 r/w 120(b) I.P.C. in Crime No.53 of 2014 on the file of the respondent police and hence, seek anticipatory bail.

2. The case of the prosecution is that the petitioners had induced the son-in-law of the defacto complainant to deposit money with the finance company called Best Plus Marketing and thereby cheated the defacto complainant to the tune of Rs.3,75,000/-.

3. The learned Counsel for the petitioners submitted that the petitioners are husband and wife and the first petitioner is working as Constable and while, the second petitioner is working as Teacher in a private school. The son-in-law of the defacto complainant is working with the first petitioner. For the default made by the Company called Best Plus Marketing Company, a case was registered in Cr.No.758 of 2013 on 24.11.2013, in which the first petitioner is one of the defacto complainant.

4. It is further submitted by the learned Counsel for the petitioners that the said Company has already filed I.P.No.8 of 2013 before the District Court, Srivilliputhur, in which the petitioners have shown as creditors. It is further submitted that with an ulterior motive, the petitioners have been implicated.

5. The learned Government Advocate (Crl.Side) submitted that on the basis of the evidence made by the accused, the son-in-law of the defacto complainant had deposited money in the Company and thereby cheated. He further submitted that the petitioners are not having any previous case.



6. Considering the facts and circumstances of the case, this Court is inclined to grant anticipatory bail to the petitioners, with certain conditions. Accordingly, the petitioners are ordered to be released on bail in the event of arrest or on their appearance before the learned Judicial Magistrate No.II, Srivilliputhur and on each of them 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 learned Magistrate concerned and on further condition that the petitioners shall appear before the respondent police daily at 06.00p.m. until further orders. The petitioners shall comply with the conditions stipulated under Section 438 Cr.P.C. scrupulously.

7. 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/-
24/04/2015

/ TRUE COPY /

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

TO

1.THE JUDICIAL MAGISTRATE NO.II, SRIVILLIPUTHUR.

2.DO THRO THE CHIEF JUDICIAL MAGISTRATE VIRUDHUNAGAR AT SRIVILLIPUTHUR.

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

4.THE INSPECTOR OF POLICE
VANNIYAMPATTI POLICE STATION, VIRUDHUNAGAR DIST.

+1. CC to M/S.G.MARIAPPAN Advocate SR.No.22254

ORDER
IN
CRL OP(MD) No.5500 of 2015
Date :24/04/2015

rg.28.04.2015

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