



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

Thursday, the Sixth day of August Two Thousand Fifteen

PRESENT

The Hon`ble Mr Justice K.KALYANASUNDARAM

CRL OP(MD) No.5770 of 2015

1 N. RAJENDRAN,  
2 LAKSHMI,

... PETITIONERS / ACCUSED 1 & 2

Vs

THE SUB- INSPECTOR OF POLICE  
SATTUR TOWN POLICE STATION, SATTUR,  
VIRUDHUNAGAR DISTRICT, (CR.NO.168 OF 2015).

... RESPONDENT / COMPLAINANT

J.GAJENDRAN

... INTERVENOR

For Petitioner : M/S.M.THIRUNAVUKKARASU Advocate

For Respondent : Mrs.S.Prabha, Govt. Advocate ( Crl. Side)

For Intervenor : Mr.N.Dilip Kumar

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

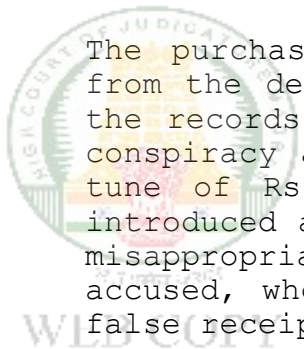
ORDER : The Court Made the following order :-

The petitioners, who are arrayed as A1 and A2 apprehend arrest at the hands of the respondent police for the alleged offences punishable under sections 408, 415, 418, 420, 424, 465, 468, 474 and 477(A) of IPC, in Crime No.168 of 2015 on the file of the respondent police and hence, seek anticipatory bail.

2.According to the de-facto complainant, he is one of the partners in Kasi Jothi Company and they are involving in whole sale business of selling Urad Dhall and Coriander seeds. A1 is an employee of the firm and he was collecting orders from various places and after despatch, he has to collect the bill amount. A2 is the wife of A1 and A3 and A4, who are the father and son were engaged for transportation of the goods from Sattur to various places. A1 to A4 prepared fake bills and diverted the goods to A5 and A6 thereby misappropriated and caused wrongful loss to the de-facto complainant to the tune of Rs.57,00,000/-.

3.The learned counsel for the petitioners submitted that the petitioners are innocent persons and they have not committed any offence as alleged by the prosecution. The learned counsel further submitted that the 2<sup>nd</sup> petitioner/A2 is the wife of first petitioner/A1 and she is no way connected with the alleged offence. The learned counsel further submitted that he seeks permission of this court to withdraw the petition against the first petitioner and he has also made an endorsement to that effect.

4.Per contra, Mr.N.Dilip kumar, learned counsel appearing for the respondent submitted that he opposed granting of anticipatory bail to the petitioners contending that only recently the Manager of the Kannan Departmental Stores, Coimbatore visited the shops at Sattur and made trade enquiries.



The purchaser was informed that they have already purchased the goods from the defacto complainant. Since, it was disputed, they have verified the records and found out that the accused have entered into a criminal conspiracy and by creating fake documents, misappropriated amount to the tune of Rs.57,00,000/-. It is further submitted that A3 and A4 were introduced and appointed by A1 in pursuance of the criminal conspiracy to misappropriate the huge money of the de-facto complainant. The second accused, who is the wife of the 1<sup>st</sup> accused helped her husband to create false receipts.

5. Heard the learned Government Advocate (criminal side) appearing for the respondent.

6. Considering the above facts and the allegations made against the 2<sup>nd</sup> petitioner, this court is inclined to anticipatory bail to the 2<sup>nd</sup> petitioner with certain condition. In view of the endorsement made by the learned counsel for the petitioners, this petition is dismissed against the first petitioner/A1.

7. Accordingly, the 2<sup>nd</sup> petitioner is ordered to be released on bail in the event of arrest or on her appearance before the learned Judicial Magistrate No.II, Sattur and on her 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 2<sup>nd</sup> petitioner shall appear before the respondent police as and when required for interrogation. The 2<sup>nd</sup> petitioner shall comply with the condition stipulated under section 438 Cr.P.C. scrupulously.

8. The 2<sup>nd</sup> 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/-  
06/08/2015

/ TRUE COPY /

Sub-Assistant Registrar (C.S.)

TO

- 1 THE JUDICIAL MAGISTRATE NO.II, SATTUR
- 2 -do-thro THE CHIEF JUDICIAL MAGISTRATE, VIRUDHUNAGAR DISTRICT
- 3 THE SUB- INSPECTOR OF POLICE  
SATTUR TOWN POLICE STATION, SATTUR,  
VIRUDHUNAGAR DISTRICT.
- 4 THE ADDL.PUBLIC PROSECUTOR,  
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1. CC to M/S.M.THIRUNAVUKKARASU Advocate SR.No.44791

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ORDER  
IN  
CRL OP(MD) No.5770 of 2015  
Date :06/08/2015