



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

Tuesday, the Seventh day of July Two Thousand Fifteen

PRESENT

The Hon`ble Mr Justice K.KALYANASUNDARAM

CRL OP(MD) No.6076 of 2015

1 DR.BOAZ AUGUSTIN
2 PADMA KUMAR
3 GUNASINGH SELLADURAI
4 SUMATHI JOHN MATHURAM
5 NITHIN KASTURI
6 PALANIAPPAN

... PETITIONER(S) / ACCUSED 1 to 6

Vs

THE STATE REP.BY THE INSPECTOR OF POLICE
DISTRICT CRIME BRANCH, MADURAI DIST,
CRIME NO.31 OF 2015

... RESPONDENT / COMPLAINANT

For Petitioner : M/S. GOPINATH SENIOR COUNSEL FOR M/S.P.ANDIRAJ Advocate

For Respondent : M/S.K.V.RAJARAJAN Govt. Advocate (Crl. Side)

For Intervenor : M/S.KARTHIVEL SENIOR COUNSEL FOR M/S.N.MURUGESAN Advocate

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

ORDER : The Court Made the following order :-

This Court, by an order, dated 08.04.2015 referred the matter to the Mediation and Conciliation Centre attached to this Court as per the submission of the learned Senior Counsel appearing for the petitioners to explore the possibility of settlement and ordered not to arrest the petitioners till 27.04.2015.

2.When the matter was listed on 27.04.2015, the learned Senior Counsel appearing for the petitioners submitted that the accused have agreed to pay the total amount of Rs.3,35,85,279/- and they also issued two cheques, dated 21.05.2015 and 28.05.2015 for the total sum of Rs.2,00,00,000/- and also agreed to pay the balance amount of Rs.1,35,85,279/- by way of post dated cheque, dated 20.07.2015 and based on the statement of the learned Senior Counsel appearing for the petitioners and report of the Mediation and Conciliation Centre dated 24.04.2015, interim bail was extended and the case was directed to be posted on 27.07.2015.

3.The learned counsel for the intervenor represented before this Court that two cheques, dated 21.05.2015 and 28.05.2015 issued by the accused were already dishonoured and they also refused to receive the notice issued through the Advocate and hence, brought the matter before this Court for hearing today.

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4.The learned counsel appearing for the petitioners submitted that there is no instructions from the petitioners.

5.The learned Counsel for the intervenor and the learned Government Advocate (Crl.side) would submit that two cheques issued for Rs.2,00,00,000/- were dishonoured.

6.Considering the above said submissions, interim order granted by this Court dated 08.04.2015 and thereafter extended on 27.04.2015 is vacated. The respondent is at liberty to secure the petitioners and take action as per law.

7.In view of the submission of the learned counsel appearing for the petitioners, this Criminal Original Petition is dismissed.

sd/-
07/07/2015

/ TRUE COPY /

Sub-Assistant Registrar (C.S.)

TO

- 1 THE INSPECTOR OF POLICE, DISTRICT CRIME BRANCH, MADURAI DISTRICT.
- 2 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI
- 3 THE CHIEF CO-ORDINATOR, MEDIATION AND CONCILIATION CENTRE,
MADURAI BENCH OF MADRAS HIGH COURT MADURAI

+1. CC to M/S.N.Murugasan, Advocate SR.No. 36775.

TS/08.07.2015/2P -5C

ORDER
IN
CRL OP(MD) No.6076 of 2015
Date :07/07/2015