



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

Thursday, the Ninth day of April Two Thousand Fifteen

PRESENT

The Hon`ble Mr Justice K.KALYANASUNDARAM

CRL OP(MD) No.6449 of 2015

1 N.SURESH
2 N.RAGHUVARAN

... PETITIONERS / ACCUSED NO.1 & 2

Vs

THE STATE REP.BY
THE INSPECTOR OF POLICE
DISTRICT CRIME BRANCH, NAGERCOIL,
KANYAKUMARI DIST. (CR.NO.27/2015) ... RESPONDENT / COMPLAINANT

For Petitioner : M/S.S.MAHENDRAPATHY 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 A1 & A2 apprehend arrest at the hands of the respondent police for the alleged offences punishable under Sections 417, 406, 420 and 506(ii) of IPC, in Crime No.27 of 2015 on the file of the respondent police and hence, seek anticipatory bail.

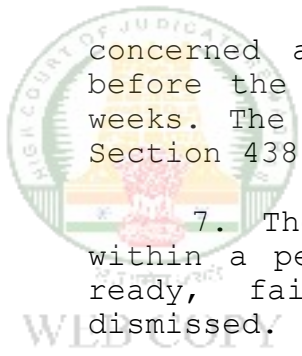
2.The case of the prosecution is that the first petitioner borrowed a sum of Rs.32,00,000/- from the defacto complainant in the year 2013, but failed to repay the amount.

3.It is submitted by the learned counsel for the petitioners that there is no money transaction between the defacto complainant and the petitioners and the earlier complaint given by the defacto complainant was investigated and closed as 'mistake of fact'. Now as per the direction given by the learned Judicial Magistrate in a private complaint filed under Section 200 Cr.P.C., the respondent has registered a case.

4.The learned counsel further submitted that there is no material to prove the allegations and they have been implicated falsely with an ulterior motive.

5.Heard the learned Government Advocate (Crl.Side) appearing for the respondent.

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.I, Nagercoil 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 6.00 p.m., for a period of four weeks. The petitioners shall comply with the condition 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/-
09/04/2015

/ TRUE COPY /

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

TO

1.THE JUDICIAL MAGISTRATE NO.I,NAGARCOIL.

2.DO THRO THE CHEIF JUDICIAL MAGISTRATE, KANYAKUMARI AT NAGARCOIL.

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

4.THE INSPECTOR OF POLICE
DISTRICT CRIME BRANCH, NAGERCOIL, KANYAKUMARI DIST.

+1. CC to M/S.S.MAHENDRAPATHY Advocate SR.No.18467

ORDER
IN
CRL OP(MD) No.6449 of 2015
Date :09/04/2015

RG.15/04/2015 2P/6C.