



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

Wednesday, the Second day of September Two Thousand Fifteen

PRESENT

The Hon`ble Mr Justice K.KALYANASUNDARAM

CRL OP(MD) No.6528 of 2015

1 ESAKKU
2 POMMIRANI
3 JOHN THANGADURAI

..PETITIONERS/ACCUSED 1,2 & 4

Vs.

STATE REP.BY THE INSPECTOR OF POLICE
CHERANMAHADEVI POLICE STATION,
TIRUNELVELI DIST.
(CRIME NO.30 OF 2015)

..RESPONDENT/COMPLAINANT

For Petitioner : M/S.T.A.EBENEZER Advocate

For Respondent : M/s.S.PRABHA, Government 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 and A4 apprehend arrest at the hands of the respondent police for the alleged offences punishable under sections 147, 406 and 420 of IPC, in Crime No.30 of 2015 on the file of the respondent police and hence, seek anticipatory bail.

2.According to the prosecution, the accused have pledged their jewels with the Bank and to redeem the jewels, they borrowed Rs.4,10,000/- from the de-facto complainant on 13.12.2014 and after redemption, neither the jewels were given to the de-facto complainant, nor they repaid the amount and thereby, cheated the de-facto complainant.

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 accused have borrowed money from the de-facto complainant and repaid the entire amount with interest, however, the present complaint is given with an ulterior motive. It is further submitted that A3, A5 and A6 were already released on anticipatory bail by the Sessions Court, Tirunelveli. The learned counsel further submitted that without prejudice to the right, the petitioners are ready to furnish surety of immovable property to the value of Rs.4,10,000/- to the satisfaction of the concerned Magistrate.

4.Heard the learned Government Advocate (Criminal side) appearing for the respondent.

5.Considering the above facts and circumstances of the case this Court is inclined to grant anticipatory bail to the petitioners with



6. Accordingly, the petitioners are ordered to be released on bail in the event of arrest or on their appearance before the learned Judicial Magistrate, Cheranmahadevi 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 and furnish immovable property as security for the value of Rs.4,10,000/- [Rupees Four lakh and Ten thousand only] to the satisfaction of the learned Magistrate concerned and on further condition that the petitioners 1 and 3 shall appear before the respondent police daily at 10.00 a.m for a period of two weeks and thereafter, as and when required for interrogation and the 2nd petitioner 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.

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/-

02/09/2015

/ TRUE COPY /

Sub-Assistant Registrar (C.S.)

TO

1 THE JUDICIAL MAGISTRATE, CHERANMAHADEVI, TIRUNELVELI DISTRICT.

2 -do-thro' THE CHIEF JUDICIAL MAGISTRATE, TIRUNELVELI.

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

4 THE INSPECTOR OF POLICE, CHERANMAHADEVI POLICE STATION,
TIRUNELVELI DIST.

+1. CC to M/S.T.A.EBENEZER Advocate SR.No.51186

ORDER IN

CRL OP(MD) No.6528 of 2015

Date : 02/09/2015

PBK/GSV-PM/SAR-I 08/09/2015 :: 2P-6C::