



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

Wednesday, the Seventh day of January Two Thousand Fifteen
PRESENT

The Hon`ble Mr.Justice P.N.PRAKASH

CRL OP(MD) No.78 of 2015

WEB COPY

MATHAVAN

... PETITIONER/ACCUSED No.3

Vs

STATE.REP.BY
THE INSPECTOR OF POLICE
ECONOMIC OFFICE WING-V, VIRUDHUNAGAR,
VIRUDHUNAGAR DISTRICT.
CR. NO.1/2014.

... RESPONDENT/COMPLAINANT

For Petitioner : M/S.S.PALANIVELAYUTHAM Advocate

For Respondent : MR.A.P.BALASUBRAMANI, Govt. Advocate (Crl. Side)

PETITION FOR BAIL Under Sec. 439 Cr.P.C.

ORDER : The Court Made the following order :-

The petitioner, who was arrested and remanded to judicial custody on 16.11.2014 for the offences punishable under Sections 420, 120(b), 294(b) and 506(i) of IPC., in Crime No.1 of 2014 on the file of the respondent police, seeks bail.

2. This is the second application and the first application filed by the petitioner in Crl.O.P.(MD)No.22703 of 2014 was dismissed by this Court on 17.12.2014.

3. The case of the prosecution is that the petitioner was arrested on 16.11.2014 on the allegation that he was running an Agency in the name and style of 'SMF Fund Agency' in Thanjavur with branches all over the Tamil Nadu and launched a scheme for enrolling members. It is alleged that he has collected Rs.2,10,000/- from the members and he misappropriated the amount.

4. Taking into consideration of the fact that the investigation is almost completed, I am inclined to grant bail to the petitioner subject to certain conditions.

https://hcservices.5.court.gov.in/hcservices1
Accordingly, the petitioner is ordered to be released on bail on his 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 Chief Judicial Magistrate, Srivilliputhur, Virudhunagar District and on further condition that:

[a] the petitioner shall deposit a sum of Rs.1,05,000/- to the credit of Crime No.1 of 2014 and on such deposit, the learned Magistrate is directed to deposit the same in any one of the Nationalized Bank, in a Fixed Deposit so that the amount accrues interest and at the end of trial, appropriate orders for disbursal of the amount could be made.

[b] the petitioner shall report before the respondent police twice a day daily at 10.30 a.m. and 6.30 p.m. for a period of two weeks and thereafter, as and when required for interrogation.

[c] the petitioner shall not tamper with evidence or witness either during investigation or trial.

[d] the petitioner shall not abscond either during investigation or trial.

[e] On breach of any of the aforesaid conditions, the learned Magistrate/Trial Court is entitled to take appropriate action against the petitioner in accordance with law as if the conditions have been imposed and the petitioner released on bail by the learned Magistrate/Trial Court himself as laid down by the Hon'ble Supreme Court in **P.K.Shaji vs. State of Kerala [(2005)AIR SCW 5560]**.

sd/-
07/01/2015

/ TRUE COPY /

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

TO

- 1 THE CHIEF JUDICIAL MAGISTRATE,
VIRUDHUNAGAR DISTRICT AT SRIVILLIPUTHUR.
 - 2 THE SUPERINTENDENT, CENTRAL PRISON, MADURAI.
 - 3 THE INSPECTOR OF POLICE
ECONOMIC OFFICE WING-V, VIRUDHUNAGAR, VIRUDHUNAGAR DISTRICT.
 - 4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.
- +1. CC to M/S.S.PALANIVELAYUTHAM Advocate SR.No.901

ORDER IN
CRL OP(MD) No.78 of 2015
Date :07/01/2015