



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

Monday, the Twelfth day of January Two Thousand Fifteen

PRESENT

WEB COPY

The Hon`ble Mr Justice P.N.PRAKASH

CRL OP(MD) No.9027 of 2014

1 RAJAGOPAL
2 RAJKUMAR
3 SARAVANAKUMAR
4 ISHWARYA LAKSHMI
5 RAJESHWARI

... PETITIONERS / ACCUSED NOS.1 TO 5

Vs

THE STATE REP.BY
THE INSPECTOR OF POLICE,
DISTRICT CRIME BRANCH,
THENI DISTRICT.
CRIME NO.31 OF 2014.

... RESPONDENT / COMPLAINANT

For Petitioner : M/S.R.GANDHI Advocate

For Respondent : MR.C.RAMESH, Government Advocate (Criminal Side)

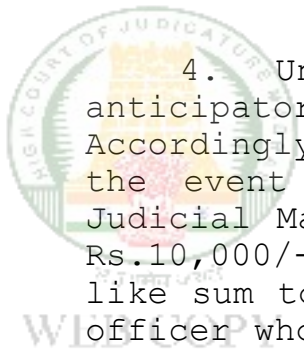
PETITION FOR ANTICIPATORY BAIL Under Sec. 438 Cr.P.C.

ORDER : The Court Made the following order :-

Apprehending arrest at the hands of the respondent police in Crime No.31 of 2014 on the file of the respondent police for offences under Sections 467, 468, 471, 419, 420 and 120(B) of the Indian Penal Code, the petitioners are now before this Court seeking Anticipatory Bail.

2. It is the case of the defacto complainant that she was the partner along with N.K.Rajagopalan and R.Rajkumar in Venus Textiles which was started in the year 2001. Subsequently, the partnership was reconstituted and Thilaka, the defacto complainant retired from the partnership firm and the firm was being run by N.K.Rajagopalan, R.Rajkumar and Saravanakumar since 2002. Now, it is alleged by the defacto complainant that these petitioners had forged the document as if she had resigned her partnership in the year 2002, whereas she has actually not resigned.

3. On a reading of the letter dated 11.06.2002, given by the Tamil Nadu Small Industries Development Corporation Limited, SIDCO, wherein the petitioners herein had approached the SIDCO for reconstituting the partnership of the firm, that has also been permitted. The defacto complainant remained silent since 2002 and suddenly she is now alleging that her partnership resignation letter was forged in 2012 by these petitioners.



4. Under such circumstances, I am inclined to grant anticipatory bail to the petitioners, but with 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, Theni, on their 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 respondent police or the police officer who intends to arrest or to the satisfaction of the learned Magistrate concerned and on further condition that,

(a) the petitioners 1 to 3 shall appear before the respondent police daily at 10.30 a.m. for a period of two weeks and give their signature, thumb impression and co-operate with the investigation and the petitioners 4 and 5 shall appear before the respondent police as and when required for interrogation.

(b) the petitioners shall not tamper with evidence or witness either during investigation or trial.

(c) the petitioners shall not abscond either during investigation or trial.

[d] On breach of any of the aforesaid conditions, the learned Magistrate/Trial Court is entitled to take appropriate action against the petitioners in accordance with law as if the conditions have been imposed and the petitioners 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/-

12/01/2015

/ TRUE COPY /

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

TO

1 THE JUDICIAL MAGISTRATE, THENI.

2 -DO-THRO' THE CHIEF JUDICIAL MAGISTRATE, THENI.

3 THE INSPECTOR OF POLICE, DISTRICT CRIME BRANCH, THENI DISTRICT.

4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1. CC to M/S.R.GANDHI, Advocate SR.No.1843.

ORDER IN

CRL OP(MD) No.9027 of 2014

Date :12/01/2015