



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

Tuesday, the Sixth day of January Two Thousand Fifteen

PRESENT

The Hon`ble Mr Justice P.N.PRAKASH

CRL OP(MD) No.9046 of 2014

JAYANTHI

... PETITIONER/ACCUSED RANK NOT KNOWN

Vs

STATE REP BY THE INSPECTOR OF POLICE
DISTRICT CRIME BRANCH,
KARUR DISTRICT.
CR.NO.13 OF 2014

... RESPONDENT/COMPLAINANT

PERIYASAMY

...PETITIONER/NIL/DEFACTO COMPLAINANT

For Petitioner : M/S.R.ALAGUMANI Advocate
For Respondent : MR.A.P.BALASUBRAMANI Govt. Advocate (Crl. Side)
For Intervener : MR.S.GOKUL RAJ, Advocate

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

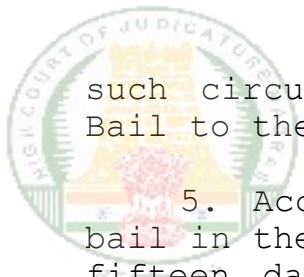
ORDER : The Court Made the following order :-

The petitioner, who apprehends arrest at the hands of the respondent police for the alleged offences punishable under Sections 420, 379, 464, 465, 468 and 471 of IPC in Cr.No.13 of 2014 on the file of the respondent police, seeks anticipatory bail.

2.The case of the prosecution is that this petitioner was a partner with the defacto complainant in Jayam Capitals and Jayam Auto Finance. There was a dispute between them. In view of the partnership dispute, a suit in O.S.No.578 of 2007 has been filed before the District Munsif Court, Karur.

3.The learned counsel for the intervenor very strongly objected to the grant of anticipatory bail to the petitioner on the ground that the petitioner along with her husband had created a forged document as if the defacto complainant had resigned from the partnership.

4.In the considered opinion of this Court, this aspect is the subject matter of the suit in O.S.No.578 of 2007. All these transactions are relating to the year 2007. FIR has been registered, pursuant to the Court's direction. Further, the petitioner's husband Chandrasekar had died in the year 2012. Under



such circumstances, this Court is inclined to grant Anticipatory Bail to the petitioner being a lady.

5. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on her appearance, within a period of fifteen days from the date of receipt of a copy of this order, before the learned Judicial Magistrate No.I, Karur, on condition that the petitioner shall execute 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 petitioner shall report before the respondent police as and when required for interrogation.

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

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

[d] On breach of any of the aforesaid conditions, the learned Judicial 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 Judicial 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/-
06/01/2015

/ TRUE COPY /

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

TO

1 THE JUDICIAL MAGISTRATE NO.I, KARUR
2 THE CHIEF JUDICIAL MAGISTRATE, KARUR
3 THE INSPECTOR OF POLICE, DISTRICT CRIME BRANCH, KARUR DISTRICT.
4 THE ADDL PUBLIC PROSECUTOR
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1. CC to M/S.R.ALAGUMANI Advocate SR.No.648

ORDER
IN
CRL OP(MD) No.9046 of 2014
Date :06/01/2015

AA/12.01.2015/2p- 6c/