



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Tuesday, the Tenth day of February Two Thousand Fifteen

PRESENT

The Hon`ble Mr Justice P.N.PRAKASH

CRL OP(MD) No.9408 of 2014

1 C.ARIVALAGAN

2 A.AMUTHA

..PETITIONERS/ACCUSED 1 & 2

Vs.

STATE REP.BY THE INSPECTOR OF POLICE

NAVALPATTU POLICE STATION,

TRICHY DIST.

CR.NO.127/2014

..RESPONDENT/COMPLAINANT

For Petitioner : M/S.S. KARTHICK Advocate

For Respondent : Mr.A.P.BALASUBRAMANI, Government Advocate (Crl.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.127 of 2014 on the file of the respondent police for offences under Sections 168, 406, 418, 420, 294(b) and 506 (i) of I.P.C., the petitioners are now before this Court seeking Anticipatory Bail.

2. Earlier the matter was sent to the Mediation Centre and the parties were not able to arrive at a settlement. This case has been registered by the police pursuant to the directions issued by this Court in Crl.O.P.(MD).No.6851 of 2014 dated 17.04.2014.

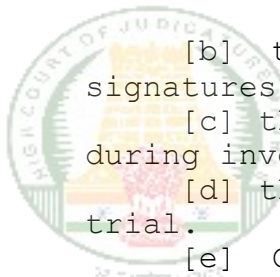
3. It is the case of the de-facto complainant that he had entrusted the construction of his house to the petitioners and had paid Rs.14,83,000/-. But whereas the petitioners have not properly constructed the house.

4. According to the petitioners, the de-facto complainant had paid only Rs.12,33,000/- and still he owes a sum of Rs.1,90,000/-.

5. Be that as it may, it is represented that the investigation has been completed and the charge sheet has been filed on 15.09.2014.

6. In such circumstances, this Court is 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, within a period of fifteen days from the date of receipt of a copy of this order, before the learned Judicial Magistrate No.III, Trichy, on executing a separate bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) with two sureties 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,

<https://hcservices.courts.gov.in/hcservices> the petitioners shall report before the respondent police as and when required for interrogation.



[b] the petitioners shall give their thumb impression, specimen signatures and handwritings.

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

[d] the petitioners 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 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/-

10/02/2015

/ TRUE COPY /

Sub-Assistant Registrar (C.S.)

TO

1 THE JUDICIAL MAGISTRATE, NO.III, TRICHY

2 -do-thro'THE CHIEF JUDICIAL MAGISTRATE TRICHY

3 THE INSPECTOR OF POLICE, NAVALPATTU POLICE STATION, TRICHY DIST.

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

+1. CC to M/S.S. KARTHICK Advocate SR.No.6198

ORDER IN

CRL OP(MD) No.9408 of 2014

Date :10/02/2015

PBK 12/02/2015 ::2P-6C: