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

Tuesday, the Eighteenth day of August Two Thousand Fifteen

PRESENT

THE HON`BLE MR JUSTICE K.KALYANASUNDARAM

CRL OP(MD) No.9519 of 2015

1 BAGAT SINGH
2 JAYAPRABHA
3 PUSHPAVALLI ... PETITIONERS/ACCUSED RANK NOT KNOWN

Vs

THE STATE REP.BY THE INSPECTOR OF POLICE (CRIME)
KARIMEDU POLICE STATION, MADURAI CITY, MADURAI.
CR.NO.627 OF 2015 ... RESPONDENT/COMPLAINANT

For Petitioner : M/S.M.SOLAISAMY Advocate

For Respondent :M/S.S.PRABHA Govt. 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 accused, apprehend arrest at the hands of the respondent police for the alleged offence punishable under Sections 294(b), 506(i), 406 and 420 of I.P.C., in Crime No.627 of 2015 on the file of the respondent police and hence, seek anticipatory bail.

2. According to the de-facto complainant, on 21.09.2013, the accused represented that they have person in Indian Oil Corporation and they will get the gas agency for the de-facto complainant and on 12.10.2013, received Rs.9,50,000/- assuring to get agency within a period of six months, later failed to get the agency nor returned the amount, thereby cheated the de-facto complainant and on 12.01.2015, the accused scolded the de-facto complainant with filthy language.

3. The learned counsel for the petitioners submitted that the petitioners 2 and 3 are innocent and they have been falsely roped into this case and when the petition enquiry was pending, the first petitioner appeared before the Assistant Commissioner of Police, Thilagar Thidal, Crime Branch, Madurai and gave a statement stating that they received Rs.9,50,000/- from the de-facto complainant on various dates and he will return the amount.

4. The learned counsel for the petitioners submitted that due to the non-payment of the amount by the first accused, he is not pressing the petition for the first accused and seeks permission to withdraw this petition.

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5. The learned counsel for the intervenor and the learned Government Advocate (Crl.side) submitted that the first accused is having 5 previous cases to his credit and in all the cases, he collected money assuring

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employment to the de-facto complainant. It is further submitted that all the accused have made joint representations and received money from the de-facto complainant.

6. Considering the facts and circumstances of the case, this Court is inclined to grant anticipatory bail to the petitioners 2 and 3 with certain conditions and this petition is dismissed as withdrawn in respect of the first petitioner. Accordingly, the petitioners 2 and 3 are ordered to be released on bail in the event of their arrest or on their appearance before the learned Judicial Magistrate No.V, Madurai and on their executing a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) each with two sureties each for a like sum to the satisfaction of the learned Magistrate concerned and on further condition that the petitioners 2 and 3 shall appear before the respondent police as and when required. 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/-
18/08/2015

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

TO
1. THE JUDICIAL MAGISTRARE NO.V, MADURAI.

2. DO THROUGH THE CHIEF JUDICIAL MAGISTRARE, MADURAI

3. THE INSPECTOR OF POLICE, KARIMEDU POLICE STATION, MADURAI ,

4.THE CO-ORDINATOR MEDIATION AND CONCILIATION CENTRE
MADURAI BENCH OF MADRAS HIGH COURT,MADURAI

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

+1. CC to M/S.M.SOLAISAMY Advocate SR.No.47476
+1CC TO M/S.S.MAHENDRAPATHY Advocate SR.No.47468

ORDER
IN
CRL OP(MD) No.9519 of 2015
Date :18/08/2015

GJM/SK/SKN/SARJ24.8.15-2P-8C

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