



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

Wednesday, the Second day of September Two Thousand Fifteen

PRESENT

The Hon`ble Mr Justice K.KALYANASUNDARAM

CRL OP(MD) No.11692 of 2015

P.R. RAJESHKUMAR

... PETITIONER/SOLE ACCUSED

Vs

THE STATE REP. BY ITS
THE INSPECTOR OF POLICE,
THILLAINAGAR POLICE STATION, TRICHY DISTRICT.

*** (CRIME NO.455/2014)**

... RESPONDENT/COMPLAINANT

FOR PETITIONER : M/S.N.ANANDAKUMAR ADVOCATE

FOR RESPONDENT : MRS.S.PRABHA, GOVERNMENT ADVOCATE (CRL.SIDE)

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

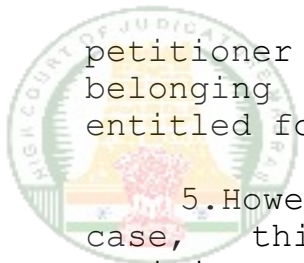
ORDER : The Court Made the following order :-

The petitioner, who is arrayed as A2 apprehends arrest at the hands of the respondent police for the alleged offences punishable under sections 409, 420, 465, 468, 471, 294(b) and 506(i) of IPC, in ***Crime No.455 of 2014** on the file of the respondent police and hence, seeks anticipatory bail.

2.According to the de-facto complainant, he is the Personal Secretary of one Martin and the said Martin had executed a power of attorney in favour of the first accused S.Muthuramalingam to sell his 20 flats situated in Trichy and A1 sold the flats for a total consideration of Rs.4.14 crores, but remitted Rs.24 lakhs in the account of the Principal namely S.Martin and the balance amount was swindled by him. It is further case of the prosecution is that A1 has given Rs.1.30 Crores to the petitioner/A2 from the sale consideration.

3.The learned counsel for the petitioner submitted that the petitioner is an innocent person and he has not committed any offence as alleged by the prosecution. The learned counsel further submitted that A1 and the petitioner are doing Real Estate business and due to business rivalry, they have been falsely implicated in this case.

4.The learned Government Advocate (Criminal side) appearing for the respondent vehemently opposed granting of anticipatory bail to the petitioner by filing detailed counter affidavit stating that the



petitioner has conspired with A1 and swindled Rs.1.30 Crores belonging to the de-facto complainant and therefore, he is not entitled for anticipatory bail.

5.However, considering the above facts and circumstances of the case, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions.

6.Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on his appearance before the learned Judicial Magistrate No.IV, Trichy and 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 Magistrate concerned and on further condition that the petitioner shall appear before the respondent police daily at 10.00 a.m until further orders. The petitioner shall comply with the condition stipulated under Section 438 Cr.P.C. scrupulously.

7.The petitioner 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/-
02/09/2015

***AMENDED AS PER ORDER OF THIS HON'BLE
COURT DATED 06.10.2015 AND MADE
IN MP(MD)1 OF 2015 IN CRL OP(MD)No. 11692 OF 2015**

*** Time is extended for a period of
one week from the date on which
the order copy is made ready.**

/ TRUE COPY /

Sub-Assistant Registrar (C.S.)

TO

TO BE SUBSTITUTED TO THE ORDER ALREADY DESPATCHED

1. THE JUDICIAL MAGISTRATE NO.IV, TRICHY
2. DO THROUGH THE CHIEF JUDICIAL MAGISTRATE, TRICHY
3. THE INSPECTOR OF POLICE,
THILLAINAGAR POLICE STATION, TRICHY DISTRICT.
4. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

***+1. CC to M/S.N.ANANDAKUMAR Advocate SR.No. 58859**

ORDER
IN
CRL OP(MD) No.11692 of 2015
Date :02/09/2015