



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

Friday, the Twenty Eighth day of August Two Thousand Fifteen

PRESENT

The Hon`ble Mr Justice K.KALYANASUNDARAM

CRL OP(MD) No.15689 of 2015

1 RAJAKUMARI
2 SELVAKUMAR

... PETITIONERS / ACCUSED NO.2 & 3

Vs

THE STATE REP BY
THE INSPECTOR OF POLICE,
BODI TALUK POLICE STATION,
THENI DISTRICT.

IN CRIME NO. 446 OF 2015 ... RESPONDENT/ COMPLAINANT

For Petitioner : M/S.K.J.ASSOCIATES Advocate

For Respondent : 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 A2 and A3 apprehend arrest at the hands of the respondent police for the alleged offences punishable under sections 420, 294(b), 323 and 506(ii) of IPC in Crime No.446 of 2015 on the file of the respondent police and hence, seek anticipatory bail.

2.According to the de-facto complainant, the accused have joined in the Chit run by the de-facto complainant in the year 2008 and they were declared as successful bidders and they received the bid amount of Rs.4,60,000/- agreeing to pay on maturity and also executed two promissory notes on 12.03.2010 and 12.09.2010, but failed to pay the amount. When this was questioned by the de-facto complainant on 02.08.2015, she was threatened by the accused with dire consequences.

3.The learned counsel for the petitioners submitted that the petitioners are innocent persons and they have not committed any offence as alleged by the prosecution. The learned counsel further submitted that the petitioners are the wife and son of A1 and A1 was arrested and released on bail by the Judicial Magistrate, Bodinayakanur in Crl.M.P.No.4216 of 2015, dated 10.08.2015. It is further submitted that the transaction between the accused and the de-facto complainant is purely civil in nature and this complaint



was given with a view to settle the dispute with the respondent police.

4. Heard the learned Government Advocate (Criminal side) appearing for the respondent.

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

6. Accordingly, the petitioners are ordered to be released on bail in the event of arrest or on their appearance before the learned Judicial Magistrate, Bodinayakanur, Theni District and on each of them 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 petitioners 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/-
28/08/2015

/ TRUE COPY /

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

TO

1 THE JUDICIAL MAGISTRATE,
BODINAYAKANUR.

2 THE CHIEF JUDICIAL MAGISTRATE
THENI

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

4 THE INSPECTOR OF POLICE
BODI TALUK POLICE STATION,
THENI DISTRICT.

+1. CC to M/S.K.J.ASSOCIATES Advocate SR.No.50297

ORDER
IN
CRL OP(MD) No.15689 of 2015
Date :28/08/2015