



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

Wednesday, the Fifth day of August Two Thousand Fifteen
PRESENT

THE HON`BLE MR JUSTICE K.KALYANASUNDARAM

CRL OP(MD) No.7969 of 2015

WEB COPY

1 PALRAJ
2 SUNDARAM

... PETITIONERS / ACCUSED 1&2

Vs

1 THE INSPECTOR OF POLICE
DISTRICT CRIME BRANCH, NAGERCOIL,
KANYAKUMARI DT,
CRIME NO.44 OF 2015

... RESPONDENT / COMPLAINANT

For Petitioner : M/S.L.GEORGE PAUL ANTO Advocate

For Respondent : Govt. Advocate (Crl. Side)

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

ORDER : The Court Made the following order :-

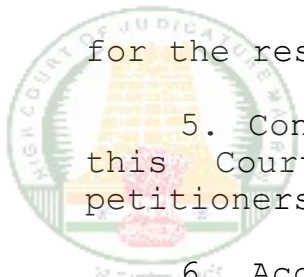
The petitioners, who are arrayed as A1 and A2 apprehend arrest at the hands of the respondent police for the alleged offence punishable under Section 420 of IPC, in Crime NO.44 of 2015 on the file of the respondent police and hence, seek anticipatory bail.

2. According to the de-facto complainant, the accused have borrowed Rs.10 lakhs from the de-facto complainant and executed a promissory note, but failed to repay the amount and thereby, cheated the de-facto complainant.

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 earlier the de-facto complainant filed a complaint, dated 13.10.2014 before the Superintendent of Police, Kanyakumari District and the same was enquired into and closed on 10.11.2014 and thereafter, second complaint was given on 14.11.2014 alleging that the accused on executing a promissory note borrowed Rs.10 Lakhs, but failed to repay the amount. The learned counsel further submitted that the petitioners filed the present complaint against the de-facto complainant on 16.03.2015 alleging that the de-facto complainant has forged their signature in the promissory note and the same is pending enquiry before the respondent police.

<https://hcservices.ecourts.gov.in/hcservices/>

4. Heard the learned Government Advocate (Crl.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 No.II, Kuzhithurai, Kanyakumari 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 1st petitioner shall appear before the respondent police daily at 10.30 a.m until further orders and the 2nd petitioner shall appear before the respondent police as and when required for interrogation. 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/-

05/08/2015

/ TRUE COPY /

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

TO

- 1 THE JUDICIAL MAGISTRATE, NO II
KUZHITHURAI, KANYAKUMARI DISTRICT
- 2 DO THRO' THE CHIEF JUDICIAL MAGISTRATE
KANYAKUMARI DISTRICT.
- 3 THE INSPECTOR OF POLICE
DISTRICT CRIME BRANCH, NAGERCOIL,
KANYAKUMARI DT.
- 4 THE ADDL PUBLIC PROSECUTOR
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1. CC to M/S.L.GEORGE PAUL ANTO Advocate SR.No.44710

ORDER IN

CRL OP(MD) No.7969 of 2015

Date :05/08/2015

JAM/IV/SAR-I/11.8.15/2P-6C