

Crl.O.P.No.30803 of 2015**K.KALYANASUNDARAM, J.**

The petitioners apprehend arrest at the hands of the respondent police for the alleged offences punishable under Sections 406, 409, 420, 468, 471, 506[ii] r/w 120[B] of IPC in Crime No.14 of 2015 on the file of the respondent police and hence, seek anticipatory bail.

2.Learned counsel appearing for the petitioners seek permission of this Court to withdraw the petition as against the sixth petitioner and he has also made an endorsement to that effect. In view of the submission and endorsement made by the learned counsel for the petitioners, this Criminal Original Petition is dismissed as withdrawn as the sixth petitioner, namely, G.Mathan is concerned.

3.The case of the prosecution is that the husband of the de facto complainant and A-1 were business partners and in his absence, A-1 purchased a property in the name of his in-laws and after demise of her husband, the accused have not produced the property accounts and thereby cheated the de facto complainant.

4.Learned counsel appearing for the petitioners would submit that the petitioners are employees and relatives of A-2 and the prime accused, A-2 to A-4 were granted anticipatory bail by this Court in CrI.O.P.No.14276 of 2015 and V.Murugaiyan was granted anticipatory bail by this Court in CrI.O.P.No.14661 of 2015. It is further submitted that in respect of A-1 is concerned, anticipatory bail was dismissed, however, he was granted relief by the Hon'ble Apex Court in S.L.P.Nos.2104-2405 of 2016. It is also submitted that the petitioners are similarly placed to that of Murugaiyan, who was granted anticipatory bail by this Court.

5.Learned Government Advocate [Criminal Side] appearing for the respondent filed a detailed counter opposing the bail petition contending that the statement of the de facto complainant would reveal that A-1 to A-4 have purchased a property in the name of the petitioners and therefore, unless they secured truth will not come out.

6.Learned counsel for the intervenor vehemently opposed the bail petition stating that the petitioners are relatives of A-2 to A-4 and the deceased himself was informing that some of the properties have purchased from the profits of the business in the name of the petitioners. Hence, custodial interrogation of these petitioners is very much necessary.

7.Considering the fact that the prime accused, namely, A-1 to A-4 were already granted anticipatory bail by the Hon'ble Apex Court and by this Court, this Court is inclined to grant anticipatory bail to the petitioners 1 to 5 and 7 with certain conditions.

8.Accordingly, the petitioners 1 to 5 and 7 are ordered to be released on bail in the event of arrest or on their appearance before the learned Judicial Magistrate No.V, Salem 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 1 to 5 and 7 shall appear before the respondent police daily at 10.00 a.m. until further orders. The petitioners 1 to 5 and 7 shall comply with the condition stipulated under Section 438 Cr.P.C. scrupulously.

9.The petitioners 1 to 5 and 7 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.

31.03.2016

K.KALYANASUNDARAM, J.

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