



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

Friday, the Eleventh day of March Two Thousand Sixteen

PRESENT

The Hon`ble Mr Justice P.N.PRAKASH

CRL OP (MD) No.10394 of 2015

1 VADIVAZHAGAN

2 SIVARAMAN

3 MUNIYAPPAN

... PETITIONERS/ACCUSED RANK NOT KNOWN

Vs

STATE REP BY THE INSPECTOR OF POLICE

DISTRICT CRIME BRANCH, DINDIGUL,

CRIME NO.NOT KNOWN OF 2015, DINDIGUL DT ... RESPONDENT/COMPLAINANT

PRASADKUMAR

...INTERVENOR

For Petitioner : M/S.J.LAWRANCE Advocate

For Respondent : MR.A.P.BALASUBRAMANI Govt. Advocate (Crl. Side)

For Intervenor : MR.C.PADMARAJ, Advocate

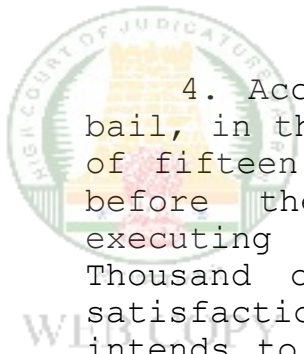
PETITION FOR ANTICIPATORY BAIL Under Sec. 438 Cr.P.C.

ORDER : The Court Made the following order :-

Apprehending arrest at the hands of the respondent police in Crime No.22 of 2015, on the file of the respondent police for offences under Sections 120(B), 406, 420 and 506(i) IPC, the petitioners are now before this Court seeking Anticipatory Bail.

2.Heard the learned counsel for the petitioners and the learned Government Advocate (Crl. Side) for the respondent.

3.On a reading of the complaint, it is seen that the accused are running a partnership concern in the name of Alayam Associates and they are the wholesale agents of Mc.Dowells Century Soda and Signature bottle. It is alleged that the de-facto complainant applied for District Super-stockist for the distribution of Mc.Dowells Century Soda and Signature bottle and had paid Rs.3 lakhs. Thereafter, it is alleged that the petitioners are not supplied the stocks. On a reading of the complaint, it is essentially appears to be a business transaction and hence, this Court is of the view that it is a fit case for grant of anticipatory bail. Accordingly, anticipatory bail is granted, but with conditions.



4. Accordingly, the petitioners are ordered to be released on bail, in the event of arrest or on their appearance, within a period of fifteen days from the date of receipt of a copy of this order, before the learned Judicial Magistrate, No.II, Dindigul, on executing a separate 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 respondent police or the police officer who intends to arrest or to the satisfaction of the learned Magistrate concerned and on further condition that,

(a) the petitioners shall report before the respondent Police every day at 6.30 p.m. until further orders.

[b] the petitioners shall not tamper with evidence or witness either during investigation or trial.

[c] the petitioners shall not abscond either during investigation or trial.

[d] On breach of any of the aforesaid conditions, the learned Magistrate/Trial Court is entitled to take appropriate action against the petitioner in accordance with law as if the conditions have been imposed and the petitioner released on bail by the learned Magistrate/Trial Court himself as laid down by the Hon'ble Supreme Court in **P.K.Shaji vs. State of Kerala [(2005)AIR SCW 5560]**.

[e] The Inspector of Police concerned is directed to send a compliance report to the office of the learned Government Advocate (Crl. Side) as to whether they are complying with the condition or not.

sd/-

11/03/2016

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

TO

- 1 THE JUDICIAL MAGISTRATE NO.II, DINDIGUL
- 2 THE CHIEF JUDICIAL MAGISTRATE, DINDIGUL
- 3 THE INSPECTOR OF POLICE
DISTRICT CRIME BRANCH, DINDIGUL, DINDIGUL
- 4 THE ADDL PUBLIC PROSECUTOR
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1. CC to M/S.J.LAWRANCE Advocate SR.No.14062

ORDER

IN

CRL OP(MD) No.10394 of 2015

Date :11/03/2016

AA/SKS-RR/AR-I/16.03.2016/2p-6c