

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

Monday, the Twenty Fifth day of July Two Thousand Sixteen
PRESENT

The Hon`ble Ms.Justice V.M.VELUMANI

CRL OP(MD) No.12497 of 2016

MANIKANDAN

... PETITIONER/ACCUSED NO.6

Vs

STATE REP.BY
THE INSPECTOR OF POLICE,
CCIW CID,
TRICHY,
CRIME NO.4 OF 2016

... RESPONDENT/COMPLAINANT

For Petitioner : M/S R.YAMUNA Advocate

For Respondent : MR.P.KANNITHEVAN, Govt. 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 Accused No.6, apprehends arrest at the hands of the respondent police for the alleged offences punishable under Sections 120(b), 408, 409, 418, 420, 468, 471 and 477(A) of I.P.C., in Crime No.4 of 2016, on the file of the respondent police and hence, seeks anticipatory bail.

2. The case of the prosecution is that the petitioner along with the other accused pledged fake jewels and borrowed loan and on complaint, a case has been registered in Crime No.4 of 2016 for the aforesaid offences.

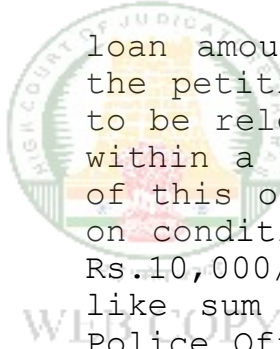
3. The case of the petitioner is that the petitioner borrowed loan by pledging 41 grams of gold jewel and at that time, the jewel was verified and then only loan amount was disbursed. The petitioner paid the entire loan amount for the loan account and even after repayment of the loan amount, the bank did not return the jewels. Therefore, the petitioner has given a representation to the Special Officer, Trichy District Central Co-operative Bank Limited for return of gold jewels.

4. The learned counsel for the petitioner submitted that the petitioner has not involved in the offence and he has not committed any offence as alleged by the prosecution and prays for anticipatory bail in favour of the petitioner.

5. The learned learned Government Advocate (Crl.side) submitted that the petitioner already paid the loan amount borrowed from the de-facto complainant Bank and the investigation is pending.

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

6. Considering the fact that the petitioner already paid the



loan amount, this Court is inclined to grant anticipatory bail to the petitioner, with certain conditions. Accordingly, he is ordered to be released on bail in the event of arrest or on his appearance, within a period of fifteen days from the date of receipt of a copy of this order, before the learned Judicial Magistrate No.I, Trichy, on condition that the petitioner shall execute 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 respondent Police or to the Police Officer, who intends to arrest or to the satisfaction of the learned Magistrate concerned and on further condition that:

- (i) the petitioner shall report before the respondent Police daily at 10.30 a.m. until further orders.
- (ii) the petitioner shall not tamper with evidence or witness either during investigation or trial.
- (iii) the petitioner shall not abscond either during investigation or trial.
- (iv) 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]**.

7. The Inspector of Police concerned is directed to send a compliance report to the office of the learned Government Advocate, as to whether the petitioners are complying with the conditions or not.

sd/-
25/07/2016

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

TO

- 1 THE JUDICIAL MAGISTRATEN NO.I, TRICHY.
- 2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE, TRICHY.
- 3 THE INSPECTOR OF POLICE, CCIW CID, TRICHY,
- 4 THE ADDITIONAL PUBLIC PROSECTUOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1. CC to M/S R.YAMUNA Advocate SR.No.39498

ORDER
IN

CRL OP(MD) No.12497 of 2016
Date :25/07/2016