



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

Wednesday, the Tenth day of February Two Thousand Sixteen
PRESENT

The Hon`ble Mr Justice P.N.PRAKASH

CRL OP(MD) No.1360 of 2016

R. INDUMATHI

... PETITIONER / ACCUSED No.1

Vs

1 THE INSPECTOR OF POLICE
CENTRAL CRIME BRANCH,
MADURAI CITY.

... RESPONDENT/COMPLAINANT

2 K. JEEVA

... RESPONDENT / DEFACTO COMPLAINANT

3.* THE INSPECTOR OF POLICE
RAJAPALAYAM SOUTH POLICE STATION,
RAJAPALAYAM 626 117.
VIRUDHUNAGAR DISTRICT

... RESPONDENT/PROPOSED RESPONDENT

(* As per the order of this Hon'ble court
dated:10.02.2016 and made in Crl.MP.(MD).No.1251/2016
in Crl.OP.(MD).No.1360/2016.)

For Petitioner : M/S N.DILIP KUMAR Advocate

For Respondent : Mr.A.P.Balasubramani Govt. Advocate (Crl. Side)

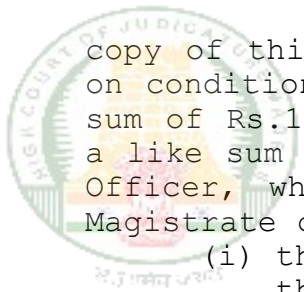
PETITION FOR ANTICIPATORY BAIL Under Sec. 438 Cr.P.C.

ORDER : The Court Made the following order :-

The petitioner, who apprehended arrest at the hands of the respondent Police for the alleged offences punishable under Sections 120(b), 420 and 468 I.P.C., in Crime No.57 of 2015, on the file of the first respondent Police, seeks anticipatory bail.

2. Heard Mr.N.Dilip Kumar, learned counsel appearing for the petitioner / 1st Accused and Mr.A.P.Balasubramani, learned Government Advocate (Criminal Side) appearing for the State.

3. On reading of the F.I.R., it is seen that the de facto complainant had approached the learned Judicial Magistrate No.I, Madurai, with a private complaint and on the directions of the learned Judicial Magistrate, under Section 156(3) Cr.P.C., her F.I.R., has been registered by the Central Crime Branch, Madurai and for want of jurisdiction, the same has now been transferred to the file of the Inspector of Police, Rajapalayam South Police Station, Rajapalayam, Virudhunagar District, who has been impleaded as third respondent herein. Further, it is seen that prima facie the transaction between the parties appears to be civil in nature, inasmuch as the petitioner had agreed to sell Kirthik Chemical Industries to the de facto complainant and thereafter she had gone upon it. There is also exchange of legal notices between the parties. Under such circumstances, this Court is of the view that this is a fit case to grant anticipatory bail to the petitioner / 1st Accused. Accordingly, she is ordered to be released on bail in the event of arrest or on her appearance, within a period of fifteen days from the date of receipt of a



copy of this order, before the learned Judicial Magistrate, Rajapalayam, on condition that the petitioner / 1st Accused 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 / 1st Accused shall report before the third respondent Police daily at 10.30 a.m., for interrogation until further orders.
- (ii) the petitioner / 1st Accused shall not tamper with evidence or witness either during investigation or trial.
- (iii) the petitioner / 1st Accused 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 / 1st Accused in accordance with law as if the conditions have been imposed and the petitioner / 1st Accused 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].

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

sd/-

10/02/2016

/ TRUE COPY /

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

TO

- 1 THE JUDICIAL MAGISTRATE, RAJAPALAYAM
- 2 -DO-THRO THE CHIEF JUDICIAL MAGISTRATE,
SRIVILLIPUTHUR AT VIRUDHUNAGAR DISTRICT
- 3 THE INSPECTOR OF POLICE
CENTRAL CRIME BRANCH,
MADURAI CITY.
- 4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.
- 5 THE INSPECTOR OF POLICE
RAJAPALAYAM SOUTH POLICE STATION,
RAJAPALAYAM 626 117.
VIRUDHUNAGAR DISTRICT

+1. CC to M/S N.DILIP KUMAR Advocate SR.No.8710

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

ORDER

IN

CRL OP(MD) No.1360 of 2016

Date :10/02/2016