



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

Thursday, the First day of December Two Thousand Sixteen

WEB COPY

PRESENT

The Hon`ble Mr Justice S.VAIDYANATHAN

CRL OP(MD) No.22170 of 2016

1 NAGENDRAL  
2 THIRUGNANASAMBANTHAM  
3 VIJAYALAKSHMI

... PETITIONER/ACCUSED No.1to3

Vs

STATE THROUGH  
THE INSPECTOR OF POLICE,  
THIDEERNAGAR POLICE STATION,  
MADURAI DISTRICT.  
CRIME NO.895 OF 2016

... RESPONDENT/COMPLAINANT

For Petitioner : M/S.G.PRABHU RAJADURAI Advocate

For Respondent : Mrs.S.PRABHA, Government Advocate (Crl.side)

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 for the alleged offences punishable under Sections 420, 467, 468 and 471 IPC in Crime No.895 of 2016 on the file of the respondent police, the petitioners/A1 to A3 have come forward with this petition, seeking anticipatory bail.

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

3. The case of the prosecution is that these petitioners have redeemed the 30 sovereigns of jewels belonging to the members of joint family, pledged by the defacto complainant in Canara Bank without their consent, which resulted in registration of the case.

4. Learned counsel for the petitioners would submit that when the defacto complainant wanted to give the entire share in the family house to the brothers of the petitioners, the same was opposed by them and infuriated by the same, this false complaint has been lodged.



5. Learned Government Advocate (Crl.Side) submitted that the investigation of the case is almost complete.

6. Considering the facts and circumstances of the case and taking note of the fact that it is a family dispute and also the fact that the occurrence is said to have taken place in the month of May, 2016, for which, the complaint has been lodged only in the month of November, 2016, this Court is of the view that custodial interrogation of these petitioners is not necessary at this stage. **Therefore, this Court is inclined to grant anticipatory bail to the petitioners.**

7. Accordingly, the petitioners are ordered to be released on bail in the event of their arrest or appearance, within a period of fifteen days from the date on which a copy of this order is made ready, before the **Judicial Magistrate No.V, Madurai, subject to the following conditions:**

(i) the petitioners shall, jointly or severally deposit a sum of Rs.60,000/- (Rupees Sixty Thousand only) **in lieu of production of sureties** to the credit of Crime No.895 of 2016 before the said Magistrate within a period of two weeks from the date on which a copy of this order is made ready and on such deposit, the Magistrate shall invest the same in anyone of the Nationalized Banks under Fixed Deposit scheme initially for one year and thereafter, renewable periodically till the issue is decided in one way or the other by it;

(ii) **the 2<sup>nd</sup> petitioner shall report before the respondent police daily at 10:30am for one week and thereafter, as and when required and the petitioners 1 & 3 shall report before the respondent police as and when required for interrogation;**

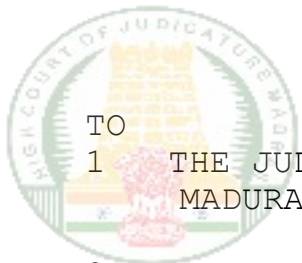
(iii) the petitioners shall not tamper with evidence or witness either during investigation or trial;

(iv) the petitioners shall not abscond either during investigation or trial;

(v) on breach of any of the aforesaid conditions, the 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 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]**.

sd/-  
01/12/2016

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TO

1 THE JUDICIAL MAGISTRATE NO.V  
MADURAI

2 THE CHIEF JUDICIAL MAGISTRATE  
MADURAI DISTRICT

3 THE INSPECTOR OF POLICE,  
THIDEERNAGAR POLICE STATION, MADURAI DISTRICT.

4 THE ADDITIONAL PUBLIC PROSECUTOR,  
MADURAI BENCH OF MADRAS HIGH COURT,  
MADURAI.

+1. CC to M/S.G.PRABHU RAJADURAI Advocate SR.No.78475

ORDER

IN

CRL OP (MD) No.22170 of 2016

Date :01/12/2016

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