



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

Wednesday, the Twenty First day of December Two Thousand Sixteen

PRESENT

The Hon`ble Mr.Justice A.M.BASHEER AHAMED

CRL OP(MD) No.23693 of 2016

1 R.SHANTHI
2 S.VENU GOPAL
3 S.RAJESWARI

... PETITIONERS / ACCUSED No.8,13 & 17

Vs

The State represented by
THE DEPUTY SUPERINTENDENT OF POLICE,
EOW II, VIRUDHUNAGAR,
(CRIME NO.2 OF 2013)

... RESPONDENT / COMPLAINANT

For Petitioner : M/S.R.ANAND Advocate

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

PETITION FOR BAIL Under Sec. 439 Cr.P.C.

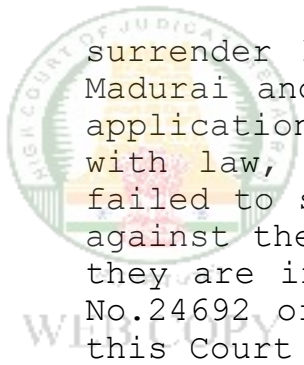
ORDER : The Court Made the following order :-

The petitioners, who were arrested and remanded to judicial custody on 03.11.2016 pursuant to the NBW issued, for the offences punishable under Sections 406, 420, 120(b) and 506(i) of IPC., r/w. Section 5 of Tamil Nadu Protection of Interest of the Depositors Act, 1997, in Crime No.2 of 2013 and pending as C.C.No.8 of 2015, on the file of the learned Special Judge under Tamil Nadu Protection of Interest of Depositors (In Financial Establishment) Act, 1997, Madurai, seek bail.

2. The learned counsel for the petitioners states that the petitioners herein are arrayed as A8, A13 and A17 respectively and they were arrested under NBW and they are in judicial custody from 03.11.2016 onwards. The case is pending as C.C.No.8 of 2015, on the file of the learned Special Judge under Tamil Nadu Protection of Interest of Depositors (In Financial Establishment) Act, 1997.

3. The learned Government Advocate (crl.side) has no objection in granting anticipatory bail to the petitioners.

4. It is admitted that anticipatory bail was granted earlier by this Court and the petitioners failed to surrender before the concerned Court and they filed a petition for extension of time and it was dismissed by this Court. Subsequently, the petitioners moved another anticipatory bail application in Crl.O.P(MD)No.24692 of 2015 before this Court, in which the petitioners were directed to



surrender before the learned Special Judge for TANPID Act Cases, Madurai and further, the said Court was directed to consider their application on the same day itself, on merits and in accordance with law, as per the order dated 18.01.2016, but the petitioners failed to surrender, as per the above order. Hence, NBW was issued against the petitioners and they were arrested by the respondent and they are in prison. A perusal of the order passed in CrI.O.P(MD) No.24692 of 2015 would reveal that no time limit has been fixed by this Court for surrender before the concerned Court.

5. Considering the above facts and circumstances of the case, I am inclined to grant bail to the petitioners subject to certain conditions.

6. Accordingly, the petitioners are ordered to be released on bail on their 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 Special Court under the Tamil Nadu Protection of Interest of Depositors (In Financial Establishment) Act, 1997, Madurai and on further condition that:

[a] the petitioners shall report before concerned Court daily at 10.30 a.m., for a period of four weeks and thereafter in all future hearing dates.

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

[c] the petitioners shall not abscond or absent without sufficient and acceptable reasons to the satisfaction of the trial Court during trial.

[d] On breach of any of the aforesaid conditions, the learned Judge/Trial Court is entitled to take appropriate action against the petitioners in accordance with law, as if the conditions have been imposed and the petitioners released on bail by the learned Judge/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/-
21/12/2016

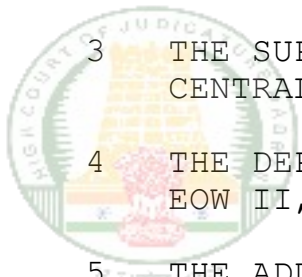
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Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

TO

1 THE JUDGE
SPECIAL COURT UNDER THE TAMIL NADU
PROTECTION OF INTEREST OF DEPOSITORS
(IN FINANCIAL ESTABLISHMENT) ACT, 1997, MADURAI

2 THE OFFICER INCHARGE
SPECIAL PRISON FOR WOMEN, MADURAI



3 THE SUPERINTENDENT
CENTRAL PRISON, MADURAI

4 THE DEPUTY SUPERINTENDENT OF POLICE,
EOW II, VIRUDHUNAGAR

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

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+1. CC to M/S.R.ANAND Advocate SR.No.82596

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ORDER

IN

CRL OP(MD) No.23693 of 2016

Date :21/12/2016