



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

Tuesday, the Sixteenth day of February Two Thousand Sixteen

PRESENT

The Hon`ble Mr Justice P.N.PRAKASH

CRL OP (MD) No.2746 of 2016

G. ANBURAJ

... PETITIONER/4th ACCUSED

Vs.

STATE REP.BY
THE INSPECTOR OF POLICE
EOW NO.II POLICE STATION,
TRICHY DISTRICT.
CR NO.3 OF 2015.

... RESPONDENT/COMPLAINANT

For Petitioner : M/S.M.KALAMURUGAPPAN Advocate
For Respondent : MRS.S.PRABHA,
Govt. Advocate (Crl. Side)

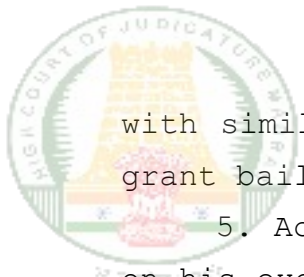
PETITION FOR BAIL Under Sec. 439 Cr.P.C.
ORDER : The Court Made the following order :-

The petitioner, who was arrested and remanded to judicial custody on 27.01.2016 for the offences punishable under Sections 406, 420 r/w 120(b) of I.P.C and Section 5 of TNPID Act, 1997, in Crime No.3 of 2015 on the file of the respondent police, seeks bail.

2. It is seen that this petitioner is working as Branch Manager of the HBN Company, Trichy, which is being run by A-1 viz., Harmandir Singh Saran and A-2 viz., Amman Deep Singh Saran. It is further seen that the said firm had defaulted to repay the deposited amount to the tune of Rs.52,00,000/- to the depositors and hence, the respondent police have registered a case in Cr.No.3 of 2015 under Sections 406, 420 r/w 120(b) of I.P.C and Section 5 of TNPID Act, 1997 and that the petitioner was arrested on 27.01.2016.

3. The learned Government Advocate (Crl.Side) strongly objected to grant bail to the petitioner stating that the public have been cheated to the tune of Rs.52,00,000/-.

4. Taking into consideration the fact that the petitioner was only the Branch Manager of the firm, which is being run by A-1 and A-2 and A-1 and A-2 have been arrested in Chattisgarh in connection



with similar offences, I am of the opinion that it is a fit case to grant bail.

5. Accordingly, the petitioner is ordered to be released on bail on his 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 learned Judge, TNPID Act Court, Madurai, and on further condition that:

[a] the petitioner shall report before the respondent police daily at 6.30 p.m. Until further orders.

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

[c] the petitioner 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 petitioners in accordance with law as if the conditions have been imposed and the petitioners 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]**.

sd/-
16/02/2016

/ TRUE COPY /

Sub-Assistant Registrar

TO

- 1 THE JUDGE, TNPID ACT COURT, MADURAI.
- 2 THE SUPERINTENDENT, CENTRAL PRISON, MADURAI.
- 3 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.
- 4 THE INSPECTOR OF POLICE
EOW NO.II POLICE STATION, TRICHY DISTRICT.

+1. CC to M/S M.KALAMURUGAPPAN Advocate SR.No.8950

akm/16.02.2016/2p-6c/SKN/SK/AR-II