



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

Monday, the Twenty First day of March Two Thousand Sixteen
PRESENT

The Hon`ble Mr Justice P.N.PRAKASH

CRL OP(MD) No.4896 of 2016

WEB COPY

1 RATHNA

2 G. GANESAN

... PETITIONERS/ACCUSED 2 & 3

Vs

STATE REP BY THE INSPECTOR OF POLICE
TRICHY CITY CRIME BRANCH,
CANTONMENT,
TRICHY DISTRICT,
CR NO. 5/2016.

... RESPONDENT/COMPLAINANT

For Petitioner : M/S R.MANIMARAN 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 petitioners, who apprehended arrest at the hands of the respondent Police for the alleged offences punishable under Sections 294(b), 506(i), 406 and 420 I.P.C, in Crime No.5 of 2016, on the file of the respondent Police, seek anticipatory bail.

2. Heard Mr.R.Manimaran, learned counsel appearing for the petitioners / accused 2 and 3 and Mr.A.P.Balasubramani, learned Government Advocate (Criminal Side) appearing for the State.

3. It is seen that the case, in Crime No.5 of 2016, has been registered pursuant to the directions issued by the learned Judicial Magistrate No.II, Trichy, under Section 156 (3) Cr.P.C.

4. Further, it is seen that one Ravichandran (first accused), who is none other than the brother of the *de facto* complainant, had cheated him to the tune of Rs.24,00,000/-. The first accused Ravichandran has been arrested and remanded to judicial custody. The first petitioner / second accused is the wife of Ravichandran / first accused and the second petitioner / third accused is mediator.

5. Taking into consideration the nature of allegations made against the petitioners / accused 2 and 3, this Court is of the view that this is a fit case to grant anticipatory bail to them. Accordingly, they are ordered to be released on bail in the event of arrest or on their appearance, within a period of fifteen days from the date of receipt of a copy of this order, before the learned



Judicial Magistrate No.II, Trichy, on condition that each of the petitioners / accused 2 and 3 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 first petitioner / second accused shall report before the respondent Police as and when required for interrogation and the second petitioner / third accused shall report before the respondent Police daily at 10.30 a.m., until further orders.
- (ii) the petitioners / accused 2 and 3 shall not tamper with evidence or witness either during investigation or trial.
- (iii) the petitioners / accused 2 and 3 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 petitioners / accused 2 and 3 in accordance with law as if the conditions have been imposed and the petitioners / accused 2 and 3 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]**.

6. 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/-
21/03/2016

/ TRUE COPY /

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

TO

- 1 THE JUDICIAL MAGISTRATE NO.II, TRICHY
 - 2 THE CHIEF JUDICIAL MAGISTRATE, TRICHY
 - 3 THE INSPECTOR OF POLICE
TRICHY CITY CRIME BRANCH, CANTONMENT, TRICHY DISTRICT
 - 4 THE ADDL PUBLIC PROSECUTOR
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.
- +1. CC to M/S R.MANIMARAN Advocate SR.No.15784

ORDER IN
CRL OP(MD) No.4896 of 2016
Date :21/03/2016