



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

Tuesday, the Nineteenth day of January Two Thousand Sixteen

PRESENT

The Hon`ble Ms.Justice V.M.VELUMANI

CRL OP (MD) No.551 of 2016

T.S. SUDHARSAN

... PETITIONER/ ACCUSED No.3

Vs

THE STATE REPRESENTED BY,
THE INSPECTOR OF POLICE
CITY CRIME BRANCH,
TIRUNELVELI CITY.
(CRIME NO. 06 OF 2010)

... RESPONDENT/ COMPLAINANT

For Petitioner : Mr.M.PITCHAI MUTHU Advocate

For Respondent : Mr.K.ANBARASAN Govt. Advocate (Crl. Side)

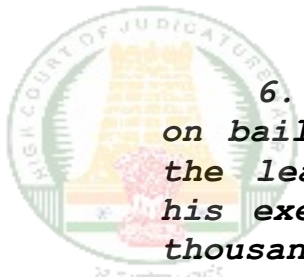
PETITION FOR ANTICIPATORY BAIL Under Sec. 438 Cr.P.C.

ORDER : The Court Made the following order :-

The petitioner, who is arrayed as A-3, apprehending arrest at the hands of the respondent police, for the alleged commission of offences punishable under Sections 120(b), 467, 468, 471, 419 and 420 of I.P.C., in Crime No.06 of 2010, on the file of the respondent police, seek anticipatory bail.

2. The case of the prosecution is that the defacto complainant purchased shares in India Info Line Private Limited at Tirunelveli in the name of the defacto complainant, her husband and her two daughters in the year 2007. But, the accused Nos.1 and 2 sold her shares to the fourth accused by impersonating the defacto complainant and her family members. Hence, on the complaint given by the defacto complainant the present case has been registered for the offences referred to supra. The petitioner had already filed Crl.O.P.(MD) No.19894 of 2015 before this Court. This Court, by order dated 25.11.2015, granted anticipatory bail to the petitioner therein, wherein at paragraphs 5 to 7, it has been held as follows:

"5.It is seen from the complaint that no allegation is made against the petitioner, except that he did not take any action on the complaint given by the defacto complainant. Considering the facts and circumstances of the case, this Court is inclined to grant anticipatory bail to the petitioners with certain conditions.



6. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on his appearance before the learned Judicial Magistrate No.I, Tirunelveli, and 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 Magistrate concerned and on further condition that the petitioner shall appear before the respondent police as and when required for interrogation. The petitioner shall comply with the conditions stipulated under Section 438 Cr.P.C. scrupulously.

7. The petitioner shall appear before the concerned Magistrate within a period of 15 days from the date on which the order copy made ready, failing which the petition for anticipatory bail stand dismissed."

3. The petitioner did not comply the condition imposed by this Court, dated 25.11.2015, in CrI.O.P.(MD) No.19894 of 2015.

4. Now, the petitioner has come out with the present petition for Anticipatory Bail on the ground that he could not arrange sureties within the time limit granted by this Court.

5. Considering the facts and circumstances of the case and also the fact that this Court has already granted anticipatory bail to the petitioner in CrI.O.P(MD)No.19894 of 2015, dated 25.11.2015, I am inclined to grant anticipatory bail to the petitioner with certain conditions. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on his appearance before the learned Judicial Magistrate No.I, Tirunelveli, and 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 Magistrate concerned and on further condition that the petitioner shall appear before the respondent police as and when required for interrogation. The petitioner shall comply with the conditions stipulated under Section 438 Cr.P.C. Scrupulously.

6. The petitioner shall appear before the concerned Magistrate within a period of 15 days from the date on which the order copy made ready, failing which the petition for anticipatory bail stand dismissed.

sd/-
19/01/2016

/ TRUE COPY /



TO

1 THE JUDICIAL MAGISTRATE NO.I, TIRUNELVELI.

2 DO THRO THE CHIEF JUDICIAL MAGISTRATE, TIRUNELVELI DISTRICT.

3 THE INSPECTOR OF POLICE
CITY CRIME BRANCH, TIRUNELVELI CITY.

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

ORDER

IN

CRL OP(MD) No.551 of 2016

Date :19/01/2016

pm

NS/SKS-RR/SAR II/25.01.2016 : 3P/5C