



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

Monday, the Twenty First day of August Two Thousand Seventeen

PRESENT

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

CRL OP(MD) No.10321 of 2017

SENTHIL MURUGAN,

... PETITIONER / ACCUSED No.6

Vs

STATE REP. BY,
THE INSPECTOR OF POLICE,
EOW, MADURAI.
CR.NO.10/2016

... RESPONDENT / COMPLAINANT

For Petitioner : M/S.T.A.EBENEZER Advocate

For Respondent : MR.A.RAMAR, Additional Public Prosecutor

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

ORDER : The Court Made the following order :-

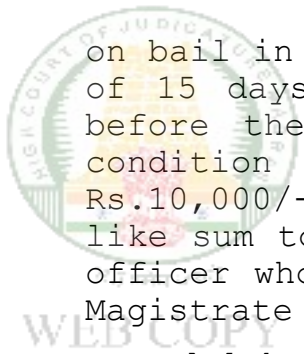
The petitioner, who apprehends arrest at the hands of the respondent Police for the offence punishable under Sections 406, 420, 120(b) of IPC and Section 5 of TN Protection of Interest of Depositors in (Financial Establishment) Act, 1997 in Crime No.10 of 2016 on the file of the respondent Police, seeks anticipatory bail.

2.The case of the prosecution is that A3 is the Director of a company namely VJL Diary LLP Company and the petitioner is the son of A3 and he purchased some property by utilizing the funds of the company.

3.The learned counsel for the petitioner submitted that the petitioner is an innocent person and he has been falsely implicated in this case. The learned counsel voluntarily agreed to deposit a sum of Rs.1 lakh to the credit of Crime No.10 of 2016 without prejudice to his contention.

4.The learned Additional Public Prosecutor appearing for the respondent Police on instruction would submit that totally there are 7 accused and the petitioner is arrayed as A6 in this case. He also submitted that A2 and A3 were enlarged on bail in CrI.M.P.No.981 of 2017 on 17.03.2017 and 2860 of 2017 on 17.07.2017; A7 is enlarged on bail in CrI.M.P.No.23229 of 2016 on 24.03.2017. He would further submitted that investigation is still pending.

5.Considering the facts and circumstances of the case and also the nature of allegations levelled against the petitioner, I am inclined to grant anticipatory bail to the petitioner. Accordingly, the petitioner is ordered to be released



on bail in the event of arrest or on his appearance, within a period of 15 days from the date on which the order copy is made ready, before the learned Special Court under TNPID Cases, Madurai, on condition that the petitioner 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 the police officer who intends to arrest or to the satisfaction of the learned Magistrate concerned and on further condition that:

[a]the petitioner shall report before the respondent Police daily at 10.30 a.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 petitioner in accordance with law as if the conditions have been imposed and the petitioner 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)**.

[e]the petitioner shall deposit a sum of one lakh to the credit of Crime No.10 of 2016 on the file of the Special Court under TNPID Cases, Madurai without prejudice to his contention.

sd/-

21/08/2017

/ TRUE COPY /

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

TO

- 1 THE JUDGE,
THE SPECIAL COURT, TNPID CASES, MADURAI
 - 2 THE INSPECTOR OF POLICE,
EOW, MADURAI. CR.NO.10/2016
 3. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI
- +1. CC to M/S.T.A.EBENEZER Advocate SR.No.29017

ORDER
IN
CRL OP(MD) No.10321 of 2017
Date :21/08/2017

NBJ

CSL/RR-BS/SAR1/29.08.2017 : 2P/5C