



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

Monday, the Ninth day of October Two Thousand Seventeen

PRESENT

The Hon`ble Mr.Justice M.DHANDAPANI

CRL OP(MD) No.13510 of 2017

WEB COPY

G.SELVA ARUMUGAM

... PETITIONER/4th ACCUSED

Vs

THE SUB-INSPECTOR OF POLICE,
CITY CRIME BRANCH,
TIRUNELVELI CITY,
(CRIME NO.26/17)

... RESPONDENT/COMPLAINANT

For Petitioner : M/S.K.ESAKKI Advocate

For Respondent : MR.K.ANBARASAN, Government Advocate(Crl.Side)

For Intervenor : MR.S.R.A.RAMACHANDRAN, Advocate

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

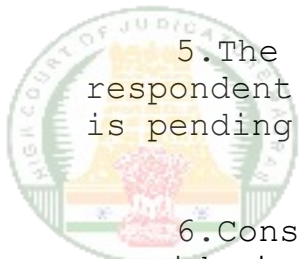
ORDER : The Court Made the following order :-

The petitioner, who apprehends arrest at the hands of the respondent Police for the offence punishable under Sections 406, 409, 420 and 120(b) I.P.C., in Crime No.26 of 2017 on the file of the respondent Police, seeks anticipatory bail.

2.The case of the prosecution is that the defacto complainant, namely, Jerom Raj is the manager of UAE Exchange Financial Service Limited made a complaint against the petitioner and others regarding to the gold loan obtained on fake jewels by the A1 and A2 with the help of A3 and this petitioner. The petitioner and other accused cheated the company amount by forging the document to the tune of Rs.3,77,800/-.

3.The learned counsel for the petitioner would submit that the petitioner is a appraiser and he did not commit any offence as alleged by the prosecution. However, he agrees to deposit a sum of Rs.20,000/-(Rupees twenty thousand only) to the Credit of Crime No.26 of 2017 before the Judicial Magistrate No.I, Tirunelveli without prejudice his defence before the trial Court.

4.The learned counsel appearing for the intervene petitioner, would submit that the petitioner/Accused No.4 is working as a appraiser, based on his certificate the loan amount will be disbursed to other persons. Hence, he prays for dismissal of the anticipatory bail.



5.The learned Government Advocate (Crl.side) appearing for the respondent Police, on instructions, would submit that investigation is pending in this case.

6.Considering the facts and circumstances of the case and also considering the submission made by the learned counsel for the petitioner that the petitioner would pay a sum of Rs.20,000/- (Rupees twenty thousand only) to the credit of Crime No.26 of 2017 on the file of the Judicial Magistrate No.I, Tirunelveli, 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 Judicial Magistrate No.I, Tirunelveli, on condition that the petitioner shall execute a bond for a sum of Rs.25,000/- (rupees twenty five 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 is directed to deposit a sum of Rs.20,000/- (Rupees twenty thousand only) to the credit of Crime No.26 of 2017 before the learned Judicial Magistrate No.I, Tirunelveli without prejudice his defence before the trial Court and thereafter the learned Magistrate shall accept the sureties furnished by the petitioner.

[b]the petitioner shall report before the respondent Police daily at 10.30 a.m. for a period of two weeks and thereafter as and when required for interrogation.

[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) the petitioner shall not commit any offence while on bail;

(iv) 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)**.

sd/-
09/10/2017

/ TRUE COPY /



TO

1 THE JUDICIAL MAGISTRATE NO.1, TIRUNELVELI

2 THE CHIEF JUDICIAL MAGISTRATE, TIRUNELVELI

3 THE SUB-INSPECTOR OF POLICE,
CITY CRIME BRANCH, TIRUNELVELI CITY

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

+1. CC to M/S.K.ESAKKI Advocate SR.No.32356

ORDER

IN

CRL OP(MD) No.13510 of 2017

Date :09/10/2017

PK/CM-MSA/SAR-4/12.10.2017 : 3P/6C