



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

Monday, the Thirteenth day of November Two Thousand Seventeen

PRESENT

The Hon`ble Mr.Justice M.DHANDAPANI

CRL OP(MD) No.14957 of 2017

1 P.SINIVASAN
2 RAJESHWARI

... PETITIONERS/ ACCUSED NO.3 AND 8

Vs

STATE REP.BY
THE INSPECTOR OF POLICE,
CITY CRIME BRANCH,
MADURAI DISTRICT.
CRIME NO.38/2016

... RESPONDENT / COMPLAINANT

For Petitioners: M/S.K.SURESH, Advocate

For Respondent : M/S.K.ANBARASAN, Government Advocate(Crl.Side)

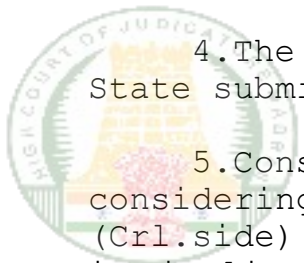
PETITION FOR ANTICIPATORY BAIL Under Sec. 438 Cr.P.C.

ORDER : The Court Made the following order :-

The petitioners/Accused Nos.3 and 8, who apprehend arrest at the hands of the respondent police for the offences punishable under Sections 120(b), 406, 420, 419, 468, 471 and 34 of I.P.C, in Crime No. 38 of 2016 on the file of the respondent police, seek anticipatory bail.

2.The case of the prosecution is that petitioners and other accused person created a forged document in order to cheat the defacto complainant. Aggrieved by the same, the defacto complainant filed a complaint before the respondent police. Though the complaint was given in the year 2012, this Court granted anticipatory bail to Accused Nos. 2 and 4 without any crime number in Crl.O.P.(MD)No.8501 of 2012. Subsequently, the District Crime Branch, Madurai registered a complaint in crime No.42 of 2014. Accordingly, the District Crime Branch forward the F.I.R to the Commissioner of Police, thereby, the commissioner of police reassigned a complaint in Cr.No.38 of 2016.

3.The learned counsel for the petitioners submitted that the petitioners are innocent persons and they have not committed any offence as alleged by the prosecution. He would further submit that other accused persons were granted anticipatory bail by this Court as well as the Principal Sessions Judge. Accordingly, he pray for anticipatory bail.



4.The learned Government Advocate (Crl.side) appearing for the State submitted that did not dispute the facts of the case.

5.Considering the facts and circumstances of the case and also considering the submission made by the learned Government Advocate (Crl.side) that did not dispute the facts of the case, this Court is inclined to grant anticipatory bail to the petitioners/Accused No.3 and 8 with certain conditions. Accordingly, the petitioners 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.I, Madurai, on condition that the petitioners shall execute a bond for a sum of Rs.25,000/- (Rupees Twenty Five thousand only) each 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 petitioners shall report before the respondent police as and when required;
- (ii)the petitioners shall not tamper with evidence or witness either during investigation or trial;
- (iii)the petitioners 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 petitioners in accordance with law and the anticipatory bail granted stands cancelled automatically.

sd/-
13/11/2017

/ TRUE COPY /

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

TO

- 1. THE JUDICIAL MAGISTRATE NO.I, MADURAI.
- 2. DO-THROUGH THE CHIEF JUDICIAL MAGISTRATE, MADURAI.
- 3. THE INSPECTOR OF POLICE,
CITY CRIME BRANCH, MADURAI DISTRICT.
- 4. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.
- +1. CC to M/S.K.SURESH Advocate SR.No.34439

ORDER IN
CRL OP(MD) No.14957 of 2017
Date :13/11/2017