



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

Thursday, the Sixteenth day of November Two Thousand Seventeen

PRESENT

The Hon`ble Mr.Justice M.DHANDAPANI

CRL OP(MD) No.15349 of 2017

LATHA

... PETITIONER/SOLE ACCUSED

Vs

STATE REP.BY
THE SUB INSPECTOR OF POLICE
DISTRICT CRIME BRANCH,
DINDIGUL,
CR NO.24/2016.

... RESPONDENT/ COMPLAINANT

For Petitioner : M/S.S.NEDUMARAN Advocate

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

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

ORDER : The Court Made the following order :-

The petitioner/sole accused, who apprehends arrest at the hands of the respondent police for the alleged offences punishable under Sections 406 and 420 of I.P.C., in Crime No. 24 of 2016, seeks anticipatory bail.

2.The case of the prosecution is that the petitioner's husband is the sister's son of the defacto complainant. The defacto complainant got a job and he settled in United States. The defacto complainant gave huge amount to the petitioner for the purpose of constructing his house, but the said amount was not repaid by the petitioner, who petitioner is working as Lecturer in the Government College. Hence, defacto complainant lodged a complaint against the petitioner.

3.The learned counsel appearing for the petitioner submitted that the petitioner has nothing to do with the transaction alleged by the defacto complainant. In fact, the amount was paid to her husband for the purpose of construction. Taking advantage of the employment of the petitioner in the Government College, a false case was foisted against her. The petitioner did not receive any amount as ~~prosecution~~ prosecution. He would further submit that the petitioner is an innocent person and he has not committed any



offence as alleged by the prosecution.

4.The learned Government Advocate (Crl.side) appearing for the State admitted the relationship between the petitioner and the defacto complainant. He would further submit that the investigation is in progress.

5.Considering the facts and circumstances of the case and also considering the submission made by the learned Government Advocate (Crl.side), admitting the relationship between the petitioner and the defacto complainant and also the fact that the investigation is in progress, this Court is 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 her 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, Dindigul, 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 to the Police Officer, who intends to arrest or to the satisfaction of the learned Magistrate concerned and on further condition that:

(i) the petitioner shall report before the respondent police as and when required;

(ii) the petitioner shall not tamper with evidence or witness either during investigation or trial;

(iii) 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 and the anticipatory bail granted stands cancelled automatically.

sd/-

16/11/2017

/ TRUE COPY /

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



rmi
TO

1 THE JUDICIAL MAGISTRATE NO.II, DINDIGUL DISTRICT
2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE
DINDIGUL DISTRICT

3 THE SUB INSPECTOR OF POLICE
DISTRICT CRIME BRANCH, DINDIGUL.

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

+1. CC to M/S.S.NEDUMARAN Advocate SR.No.34532

GJM/CM/VR/SAR-3-23.11.2017-3P-6C

ORDER
IN
CRL OP(MD) No.15349 of 2017
Date :16/11/2017