



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

Wednesday, the Fifteenth day of November Two Thousand Seventeen

WEB COPY

PRESENT

The Hon`ble Mr.Justice M.DHANDAPANI

CRL OP(MD) No.15378 of 2017

RAMASAMY

... PETITIONER / ACCUSED No.3

Vs

THE STATE REPRESENTED BY
THE SUB-INSPECTOR OF POLICE
SIVIGIRI POLICE STATION,
TIRUNELVELI DISTRICT
(CRIME NO.288 OF 2017)

... RESPONDENT / COMPLAINANT

For Petitioner : Mr.G.MARIMUTHU 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 accused No.3, apprehends arrest at the hands of the respondent police for the offences punishable under Sections 294(b) and 506(i) of I.P.C., in Crime No. 288 of 2017, on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that the petitioner and other accused persons have formed an insurance company under the name of Abiviruthi Agro Tech India Limited, in which the defacto complainant acted as an agent and collected huge money from the public on assurance to repay the amount in double. The said money was deposited in that company. Thereafter, when the defacto complainant requested the petitioner to repay the amount, which was collected from the depositors/public, the petitioner and other accused persons attacked the defacto complainant. Thereby the defacto complainant filed a complaint before the respondent police.

3.The learned counsel for the petitioner submitted that the petitioner is also a depositors and he is not the owner of the company.

4. The learned Government Advocate (Criminal side) appearing for the respondent submitted that no one is injured in this aspect.



However the petitioner is implicated as an accused in other offences.

5. Considering the facts and circumstances of the case and also considering the submission made by the learned Government Advocate (Crl.side), 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, within a period of fifteen days from the date of receipt of a copy of this order, before the Judicial Magistrate Court, Sivagiri on condition that the petitioner shall execute a bond for a sum of Rs.25,000/- (Rupees twenty five thousand only) each with two sureties 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 investigation officer, daily between 10.00 a.m. and 11.00 a.m., for a period of four weeks;
- (ii) the petitioner shall not tamper with evidence or witness either during investigation or trial;
- (iii) the petitioner shall make himself available for interrogation including custodial interrogation as and when required by the investigation officer;
- (iv) the petitioner shall not commit any offence while on bail;
- (v) 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.
- (vi) However this order will stand on the way of law enforcing agency to proceed in the other case.

sd/-
15/11/2017

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



1 THE JUDICIAL MAGISTRATE,
SIVAGIRI

2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
TIRUNELVELI

3 THE SUB-INSPECTOR OF POLICE
SIVIGIRI POLICE STATION,
TIRUNELVELI DISTRICT

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

+1. CC to Mr.JOTHI BASU, Advocate SR.No.34467

JAM/20/11.17/CM-VR/SAR 4/3P-6C

ORDER

IN

CRL OP(MD) No.15378 of 2017

Date :15/11/2017