



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

Thursday, the First day of June Two Thousand Seventeen

PRESENT

The Hon`ble Mrs.Justice J.NISHA BANU

CRL OP(MD) No.1666 of 2017

1 KASI
2 ANGALA ESWARI
3 SANTHANAM

... PETITIONERS/ ACCUSED NO.1 TO 3

Vs

1 THE STATE BY,
THE INSPECTOR OF POLICE
OTHAKADAI POLICE STATION,
MADURAI DISTRICT.
CRIME NO.46 OF 2017

...1ST RESPONDENT/COMPLAINANT

2 P.CHINNAPANDI

... 2ND RESPONDENT/DEFACTO COMPLAINANT

For Petitioner : M/S. J. DEVASENAN Advocate

For Respondent No.1 : MR.A.RAMAR, Additional Public Prosecutor.

For Respondent No.2 : MR.R.KARUNANIDHI, Advocate

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

ORDER : The Court Made the following order :-

The petitioners, who are arrayed as Accused Nos.1 to 3 in Crime No.46 of 2017 on the file of the respondent police, apprehend arrest at the hands of the respondent police for the alleged offences punishable under Section 420 IPC and hence, seek anticipatory bail.

2.Heard the learned counsel for the petitioners and the learned Government Advocate(Crl. Side) for the first respondent/State.

3.The case of the prosecution is that the petitioners are alleged to have cheated the defacto complainant by not repaying the invested amount of Rs.15 lakhs and also 40% of the profit amount.

4.When the matter came up for hearing on 07.03.2017, this Court has granted anticipatory bail order for the third petitioner/A3. Further, this Court has also granted interim anticipatory bail in favour of the first and second petitioners, by order dated 05.04.2017.



5.Today, the learned Government Advocate appearing for the first respondent submitted that though this Court has specifically directed the defacto complainant to produce the documents for sending it to forensic document, the defacto complainant did not appear before them. Hence, they could not investigate further.

6.In view of the above submission, the defacto complainant is directed to hand over the documents in his hands to the first respondent Police, who in turn shall forward the same to forensic department and after receipt of the forensic report, the first respondent Police is directed to complete the investigation and to file the final report within a period of one month from the date of receipt of a copy of this order.

7.At this juncture, it is represented by the learned counsel for the petitioners that the first and second petitioners have already complied with the direction of this Court in the interim anticipatory bail order dated 05.04.2017. Considering the above submission and also considering the facts and circumstances of the case, the interim anticipatory bail granted in favour of the first and second petitioners is made absolute. Accordingly, this Criminal Original Petition stands disposed of.

sd/-
01/06/2017

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

TO

- 1.THE JUDICIAL MAGISTRATE, MELUR
- 2.-DO-THRO THE CHIEF JUDIDCIAL MAGISTRATE
MADURAI DISTRICT
- 3.THE INSPECTOR OF POLICE, OTHAKADAI POLICE STATION,
MADURAI DISTRICT.
- 4.THE ADDITIONAL PUBLIC PROSECUTOR
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI

+1 CC to M/S. J. DEVA SENAN Advocate SR.No.23051
+1 CC to MR.R.KARUNANIDHI Advocate in SR.No.22999

ORDER
IN
CRL OP(MD) No.1666 of 2017
Date :01/06/2017

PM

CSL/CM-MSA/SAR-IV/05.06.2017 : 2P/7C