



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

Friday, the Twenty Second day of December Two Thousand Seventeen

PRESENT

The Hon`ble Mr.Justice M.DHANDAPANI

CRL OP(MD) No.16744 of 2017

1 MURUGANANTHAM
2 VALARMATHI

... PETITIONER / ACCUSED

Vs

THE STATE REP.BY,
THE INSPECTOR OF POLICE,
DISTRICT CRIME BRANCH, DINDIGUL DISTRICT,
DINDIGUL. (CRIME NO.28 OF 2017) ... RESPONDENT / COMPLAINANT

For Petitioners : M/S.S.ANGAPPAN Advocate

For Respondent : MR.K.ANBARASAN Govt. Advocate (Cr1. Side)

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

ORDER : The Court Made the following order :-

The petitioners, who are arrayed as Accused, apprehend arrest at the hands of the respondent police for the offences punishable under Sections 406, 420 and 506(ii) of I.P.C., in Crime No.28 of 2017, on the file of the respondent police, seek anticipatory bail.

2.The case of the prosecution is that the defacto complainant and the petitioners are the partners in establishing temple. They established the Masaniamman Temple. After establishing the said Temple, on seeing huge revenue from the Temple, there was a dispute regarding the Temple income between the petitioners and the defacto complainant, thereby, the defacto complainant lodged a complaint before the respondent police alleging that the petitioners are collecting huge amount by way of donation and the said donation amount was not spent either for establishment of Temple or for depositing the amount in the Trust.

3.The learned Senior Counsel appearing for the petitioners submitted that the defacto complainant also collected a huge amount by way of donation. He would further submit that the petitioner also misappropriated the huge amount of the Trust. He made an oral complaint to the HR & CE Department and the HR & CE Department took over the matter and take over the management of the Temple.

4.The learned Government Advocate (Criminal side) appearing for the State submitted that based on the complaint received from the



general public as well as the petitioners, now the HR & CE Department took over the management of the said Temple and maintaining the fund as well as the administration of the Temple. He requested this Court to impose stringent condition to the petitioners.

5. Considering the facts and circumstances of the case and also considering the submission made by the learned Government Advocate (Criminal side), I am inclined to grant anticipatory bail to the petitioners 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.II, Dindigul, 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 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 deposit a sum of Rs.75,000/- (Rupees Seventy Five Thousand only) to the credit of Crime No.28 of 2017 before the learned Judicial Magistrate No.II, Dindigul, without prejudice to their defence before the trial Court. After such deposit, the trial Court shall accept the sureties furnished by the petitioners;
- (ii) the petitioners shall report before the Assistant Commissioner, HR & CE Department, Virudhunagar District, daily at 10.30 a.m., for a period of two weeks, and thereafter, as and when required for interrogation;
- (iii) the petitioners shall not tamper with evidence or witness either during investigation or trial;
- (iv) the petitioners shall make themselves available for interrogation including custodial interrogation as and when required by the investigation officer;
- (v) the petitioners shall not abscond either during investigation or trial;
- (vi) the petitioners shall not commit any offence while on bail;
- (vii) 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/-
22/12/2017

/ TRUE COPY /



TO

1 THE JUDICIAL MAGISTRATE NO.II, DINDIGUL.

2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
DINDIGUL DISTRICT.

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

4 THE ASSISTANT COMMISSIONER,
HR & CE DEPARTMENT, VIRUDHUNAGAR DISTRICT.

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

+1. CC to M/S.M.S.JEYAKARTHIK Advocate SR.No.37023

ORDER

IN

CRL OP(MD) No.16744 of 2017

Date :22/12/2017

MKV-RR-SAR 3/27.12.2017/3P-7C