



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

Tuesday, the Nineteenth day of December Two Thousand Seventeen

PRESENT

The Hon`ble Mr.Justice M.DHANDAPANI

CRL OP(MD) No.17456 of 2017

1 A.BANUMATHI
2 C.ADAIKALAM

... PETITIONERS / ACCUSED No.2 & 3

Vs

THE STATE REP.BY,
THE INSPECTOR OF POLICE
DISTRICT CRIME BRANCH POLICE STATION,
PUDUKKOTTAI, IN CR.NO.31/2017,
PUDUKKOTTAI DISTRICT.

... RESPONDENT / COMPLAINANT

For Petitioners : M/S.G.MATHAVAN Advocate

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

PETITION FOR BAIL Under Sec. 439 Cr.P.C.

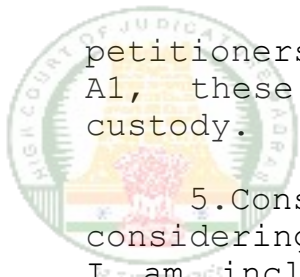
ORDER : The Court Made the following order :-

The petitioners/Accused Nos.2 & 3, who were arrested and remanded to judicial custody on 10.11.2017 for the alleged offences punishable under Sections 406, 408, 420, 477(A) of IPC., in Crime No.31 of 2017, on the file of the respondent police, seek bail.

2.The case of the prosecution is that the petitioners' daughter namely Karthika, was working in the SMNS Shopping Mall, Aranthangi. At that time, the owner of the Shopping Mall made an allegation against the petitioners' daughter as if the petitioners' daughter has edited the original bills and misappropriated the amount of Rs.40 lakhs. Thereby, the owner of the Shopping Mall filed a complaint against the petitioners' daughter before the respondent police. The respondent police arrested the petitioners and remanded to Judicial custody.

3. The learned counsel for the petitioners would submit that the petitioners did not commit any offence as alleged by the prosecution. In fact no averments have been shown in the FIR, that the petitioners have involved in the said offence. However, the reason of pressure mounted by the owner of the Shopping Mall, the respondent police implicated the petitioners in this false case.

4.The learned Government Advocate (Criminal side) appearing for the respondent submitted that on perusal of the FIR, that the



petitioners name did not find in the FIR, based on the confession of A1, these petitioners were arrested and remanded to Judicial custody.

5. Considering the facts and circumstances of the case and also considering the submission made by the learned Government Advocate, I am inclined to grant bail to the petitioners with certain conditions. Accordingly, the petitioners are ordered to be released on bail, subject to the following conditions:

- (i) the petitioners shall execute a common bond for a sum of Rs.25,000/- (Rupees twenty five thousand only) with two common sureties for a like sum to the satisfaction of the learned Judicial Magistrate, Alangudi, Pudukkottai District;
- (ii) the petitioners shall report before the investigation officer, as and when required for interrogation on receipt of summon;
- (iii) the petitioners shall not tamper with evidence or witness either during investigation or trial.
- (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 petitioners in accordance with law and the bail granted stands cancelled automatically.

sd/-

19/12/2017

/ TRUE COPY /

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

TO

- 1 THE JUDICIAL MAGISTRATE, ALANGUDI, PUDUKKOTTAI DISTRICT.
- 2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE, PUDUKKOTTAI DISTRICT.
- 3 THE SUPERINTENDENT, WOMEN PRISON (CENTRAL JAIL), TRICHY.
- 4 THE OFFICER IN CHARGE, DISTRICT PRISON, PUDUKKOTTAI.
- 5 THE INSPECTOR OF POLICE,
DISTRICT CRIME BRANCH POLICE STATION,
PUDUKOTTAI, PUDUKOTTAI DISTRICT.
- 6 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1. CC to M/S.G.MATHAVAN Advocate SR.No.36444

ORDER IN
CRL OP(MD) No.17456 of 2017
Date :19/12/2017