



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

Wednesday, the Twenty Second day of February Two Thousand Seventeen
PRESENT

The Hon`ble Mr.Justice A.M.BASHEER AHAMED

CRL OP(MD) No.1867 of 2017

WEB COPY

1 SUBAITHA BEGUM
2 MALLIGA

... PETITIONERS/ACCUSED NO.7 & 8

Vs

THE INSPECTOR OF POLICE,
DISTRICT CRIME BRANCH,
THOOTHUKUDI,
THOOTHUKUDI DISTRICT.
CRIME NO.14 OF 2016

... RESPONDENT/COMPLAINANT

For Petitioner : M/S.N.PRAGALATHAN Advocate

For Respondent : MR.P.KANDASAMY, Govt. Advocate (Crl. Side)

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

ORDER : The Court Made the following order :-

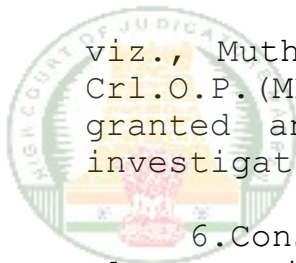
The petitioners, who are arrayed as accused Nos.7 and 8 in Crime No.14 of 2016 on the file of the respondent police, apprehend arrest at the hands of the respondent police for the alleged offences punishable under Sections 406 and 420 of IPC and hence, seek anticipatory bail.

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

3.The learned counsel for the petitioner states that the petitioners are implicated on the basis of the confession given by the co-accused in this case and the petitioners are innocent and they are the first victim in the hands of accused No.1 and believing his confession they have also parted with a sum of Rs.40,000/-.

4.The case of the prosecution is that for constructing a house under the scheme viz.,Rajiv Gandhi Rehabilitation Project, the accused persons collected a sum of Rs.16 laksh from more than 200 persons, but there is no such scheme. The accused persons collected a huge sum from various persons.

5.The learned Government Advocate (crl. Side) states that totally there are four named accused in the FIR and the petitioners herein are A7 and A8, who are implicated as per confession of A1 in this case. A1 and A2 were arrested and released on bail by the concerned Sessions Court. A3 was reported dead. A4 was not known. A5



viz., Muthulakshmi was granted anticipatory bail by this Court in CrI.O.P.(MD)No.24130 of 2016, dated 18.01.2017. A6 and A9 were granted anticipatory bail by the concerned Sessions Court. The investigation is still pending.

6.Considering the above facts and circumstances of the case and also considering the fact that the petitioners are implicated in this case on the confession of A1, who was arrested and released on bail by the concerned Sessions Court, as stated by the learned Government Advocate for the respondent and the co-accused were also granted anticipatory bail by this Court, this Court is 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 before the learned Judicial Magistrate Court No.I, Thoothukudi, Thoothukudi District, and on each of them executing a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) with two sureties each for a like sum to the satisfaction of the learned Magistrate concerned and on further condition that the petitioners shall appear before the respondent police daily at 10.30 a.m. until further orders for interrogation. The petitioners shall comply with the condition stipulated under Section 438 Cr.P.C. scrupulously.

7.The petitioners shall appear before the concerned Magistrate within a period of 15 days from the date on which the order copy made ready, failing which, the petition for anticipatory bail stands dismissed.

sd/-
22/02/2017

/ TRUE COPY /

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

TO

- 1 THE JUDICIAL MAGISTRATE NO.I,THOOTHUKUDI, THOOTHUKUDI DISTRICT.
- 2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE, THOOTHUKUDI.
- 3 THE INSPECTOR OF POLICE,
DISTRICT CRIME BRANCH, THOOTHUKUDI, THOOTHUKUDI DISTRICT.
- 4 THE ADDITIONAL PUBLIC PROSECTUOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1. CC to M/S.N.PRAGALATHAN Advocate SR.No.9883
ORDER
IN
CRL OP(MD) No.1867 of 2017
Date :22/02/2017

RJ2