



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

Thursday, the Ninth day of March Two Thousand Seventeen

PRESENT

The Hon`ble Mrs.Justice J.NISHA BANU

CRL OP(MD) No.2219 of 2017

1 IMMANUEL
2 STEPHEN
3 MAHUL SAHUL ABBAS
4 LILY PUSHAM

... PETITIONER/ACCUSED NO(A1 TO A4)

Vs

STATE REP.BY
THE INSPECTOR OF POLICE,
KARIAPATTI POLICE STATION,
VIRUDHUNAGAR DISTRICT.
CRIME NO.69 OF 2014

... RESPONDENT/COMPLAINANT

For Petitioner : MR.R.ANAND Advocate

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

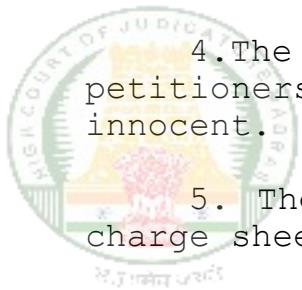
PETITION FOR ANTICIPATORY BAIL Under Sec. 438 Cr.P.C.

ORDER : The Court Made the following order :-

The petitioners, who are arrayed as A-1 to A-4, in Crime No.69 of 2014 on the file of the respondent police, apprehend arrest at the hands of the respondent police for the alleged offences punishable under Sections 147, 294(b), 427, 506(i) IPC and Section 4 of Tamil Nadu Prohibition of Charging Exorbitant Interest Act, 2003 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 case of the prosecution is that the defacto complainant borrowed a sum of Rs.11 lakhs with 2% interest from the first petitioner and executed a mortgage deed as a collateral security in favour of the second petitioner. Since, the defacto complainant did not repay the amount, the second petitioner got a settlement deed in his favour for Rs.15 lakhs. On further demand, the defacto complainant executed a full fledge sale deed in favour of the first petitioner. Even thereafter, the petitioners demanded money, which made the defacto complainant to lodge the present complaint.



4.The learned counsel for the petitioners submitted that the petitioners are falsely implicated in the case and they are innocent.

5. The learned Government Advocate submitted that absconding charge sheet are already filed against the petitioners.

6.Considering the facts and circumstances of the case, 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, Aruppukottai, Virudhunagar 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 except the fourth petitioner shall appear before the learned Judicial Magistrate daily at 10.30 a.m until further orders and the fourth petitioner shall appear before the learned Judicial Magistrate concerned as and when required. 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/-
09/03/2017

/ TRUE COPY /

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

TO

- 1 THE JUDICIAL MAGISTRATE,ARUPPUKOTTAI, VIRUDHUNAGAR DISTRICT.
- 2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
VIRUDHUNAGAR DISTRICT AT SRIVILLIPUTHUR.
- 3 THE INSPECTOR OF POLICE,
KARIAPATTI POLICE STATION, VIRUDHUNAGAR DISTRICT.
- 4 THE ADDITIONAL PUBLIC PROSECTUOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1. CC to M/S.R.ANAND Advocate SR.No.13600
JIKR
CSL/CM-MSA/SAR-II/13.03.2017 :2P/6C

ORDER
IN
CRL OP(MD) No.2219 of 2017
Date :09/03/2017