



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

Wednesday, the Twenty Second day of March Two Thousand Seventeen

PRESENT

The Hon`ble Mrs.Justice J.NISHA BANU

CRL OP(MD) No.3265 of 2017

NATRAJAN

... PETITIONER/ACCUSED NO.2

Vs

STATE REPRESENTED BY,
THE INSPECTOR OF POLICE
ANDIPATTI POLICE STATION,
THENI DISTRICT
CRIME NO. 649 OF 2016

... RESPONDENT/COMPLAINANT

For Petitioner : M/S.C.BETHANASAMY Advocate

For Respondent : MRS.S.PRABHA, Govt. Advocate (Crl. Side)

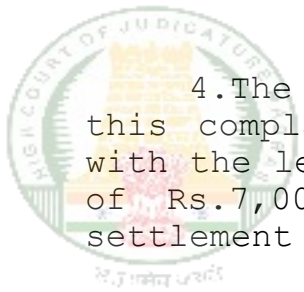
PETITION FOR ANTICIPATORY BAIL Under Sec. 438 Cr.P.C.

ORDER : The Court Made the following order :-

The petitioner, who is arrayed as A-2, in Crime No.649 of 2016 on the file of the respondent police, apprehends arrest at the hands of the respondent police for the alleged offences punishable under Sections 406, 417, 420 and 471 IPC altered into the offence under Sections 406, 417, 420, 471, 120(b) and 109 of I.P.C and hence, seeks anticipatory bail.

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

3.The case of the prosecution is that the alleged occurrence took place between 08.11.2014 to 24.03.2015 and the complaint has been given on 30.11.2016 by one Meena, who is the wife of the deceased Palanichamy stating that her husband Palanichamy met with an accident on 08.11.2014 and thereafter died on 03.03.2015. During his lifetime, the petitioner/A2, who is dealing with MCOP cases, along with other accused obtained signature from her husband in the white papers and filed claim petition before the Sub Court, Gobichettipalayam in M.C.O.P.No.36 of 2015, as if her husband filed the case and the same was referred to lok adalat and obtained a sum of Rs.1,20,000/- as if her husband was willing for settlement. After that, when the defacto complainant filed a claim petition, she came to understand that without the knowledge of her husband, they filed claim petition and settled the same before the lok adalat and thereby cheated the defacto complainant.



4.The learned counsel for the petitioner submits that after this complaint, the petitioner has voluntarily settled the matter with the legal heirs of the deceased Palanichamy by giving an amount of Rs.7,00,000/- through Demand Draft and to that effect the settlement deed was executed on 01.02.2017.

5.The learned Government Advocate (Crl. Side) has also accepted the above facts on instructions from the respondent police.

6.Considering the facts and circumstances of the case and also considering the fact that the matter has been settled between the parties, this Court is inclined to grant anticipatory bail to the petitioner, with certain conditions. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on his appearance before the learned Judicial Magistrate, Andipatti and on his 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 petitioner shall appear before the respondent police as and when required, for interrogation. The petitioner shall comply with the condition stipulated under Section 438 Cr.P.C. scrupulously.

6.The petitioner 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/-
22/03/2017

/ TRUE COPY /

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

TO

1 THE JUDICIAL MAGISTRATE, ANDIPATTI, THENI DISTRICT.

2 THE CHIEF JUDICIAL MAGISTRATE, THENI.

3 THE INSPECTOR OF POLICE
ANDIPATTI POLICE STATION, THENI DISTRICT

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

+1. CC to M/S.C.BETHANASAMY Advocate SR.No.16747
ORDER

IN
CRL OP(MD) No.3265 of 2017
Date :22/03/2017