



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

Friday, the Twenty First day of April Two Thousand Seventeen

PRESENT

The Hon`ble Dr.Justice G.JAYACHANDRAN

CRL OP (MD) No.4793 of 2017

SIVA SUBRAMANIYA PILLAI ... PETITIONER/SOLE ACCUSED

Vs

STATE REP.BY
THE INSPECTOR OF POLICE
E.O.W. II POLICE STATION,
TIRUNELVELI,
IN CRIME NO. 1 OF 2016 ... RESPONDENT/ COMPLAINANT

For Petitioner : M/S.B.BRIJESH KISHORE Advocate

For Respondent : M/S K.V.RAJARAJAN, Govt. Advocate (Crl. Side)

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

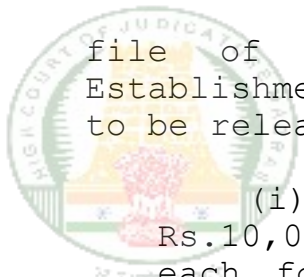
ORDER : The Court Made the following order :-

The petitioner/sole accused was arrested and remanded to judicial custody on 29.03.2017 for the offences punishable under Sections 406, 420, r/w. 5 of TNPID Act, 1997 in Crime No.1 of 2016 on the file of the respondent police, seeks bail.

2. The petitioner has been arrested by the police on 29.03.2017, based on the complaint given by one Shanmuga Priya, on 26.01.2016, alleging that the petitioner has cheated her for the tune of Rs.1,25,000/-. Though the F.I.R. was registered on 26.01.2016, the petitioner, who is arrayed as accused in the complaint was arrested on 29.03.2017 after lapse of fifteen months.

3.The learned Government Advocate (Crl.Side) submits that the petitioner was absconding and the police was not in a position to apprehend him and investigated further on the complaint. Therefore a paper publication was also effected on 18.09.2016 indicating the general public about receipt of the FIR lodged by one Shanmuga Priya on 26.01.2016 alleging money fraud against this petitioner. In spite of paper publication, there were only three more complaints alleging cheating to the tune of Rs.3,07,000/-.

4. Considering the above fact, this Court is inclined to grant bail on condition that the petitioner shall deposit Rs.1,00,000/- (Rupees one lakh only) to the credit of Crime No.1 of 2016 on the



file of the Special Court under TNPID Act (In financial Establishment), Madurai. On such deposit, the petitioner is ordered to be released on bail subject to the following conditions:

(i) the petitioner shall execute 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 Special Judge, TNPID Court, Madurai.

(ii) the petitioner is directed to appear before the respondent police daily at 10.30 a.m. until further orders. Further, the Investigating Officer is directed to make a thorough enquiry on this matter including the allegation made by the counsel for the petitioner regarding the alleged undue influence exerted by Muthukumar on the Police Department and also the source of income of three persons and based on these documents, the petitioner has been arrested.

(iii) the petitioner shall not tamper with the evidence or witness either during investigation or trial;

(iv) the petitioner shall not abscond either during investigation or trial;

(v) on breach of any of the aforesaid conditions, the Magistrate/Trial Court is entitled to take appropriate action against the petitioner in accordance with law as if the conditions have been imposed and the petitioner released on bail by the Magistrate/Trial Court.

sd/-

21/04/2017

/ TRUE COPY /

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

TO

1. THE SPECIAL JUDGE, SPECIAL COURT UNDER TNPID ACT
(IN FINANCIAL ESTABLISHMENT), MADURAI.

2. THE SUPERINTENDENT, CENTRAL PRISON, MADURAI.

3. THE INSPECTOR OF POLICE
E.O.W. II POLICE STATION,
TIRUNELVELI.

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

+1. CC to M/S.B.BRIJESH KISHORE Advocate SR.No.20665

ORDER IN

CRL OP(MD) No.4793 of 2017

Date :21/04/2017