



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

Wednesday, the Eighteenth day of January Two Thousand Seventeen

WEB COPY

PRESENT

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

CRL OP(MD) No.23904 of 2016

C.KANAGASABAI

... PETITIONER/12th ACCUSED

Vs

THE STATE REP.BY,
THE INSPECTOR OF POLICE
DISTRICT CRIME BRANCH,
TUTICORIN DISTRICT
(CRIME NO. 6/2006)

... RESPONDENT / COMPLAINANT

For Petitioner : M/S.M.VENKATESAN Advocate

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

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

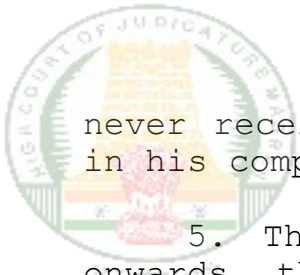
ORDER : The Court Made the following order :-

The petitioner, who is arrayed as accused No.12, apprehends arrest at the hands of the respondent police for the alleged offence punishable under Section 5 of TNPID Act in Crime No.6 of 2006 on the file of the respondent police and hence, seeks anticipatory bail.

2. The learned counsel for the petitioner states that the petitioner herein is the 12th accused in C.C.No.119 of 2008 pending before TNPID Court, Madurai and the petitioner was shown as absconding accused in the charge sheet and thereafter, the case against the petitioner herein was split up and is pending as C.C.No.9 of 2012. The learned counsel for the petitioner further states that the address of the petitioner is wrongly given in the charge sheet and he has not received any summons in the case.

3. The learned Government Advocate (Crl.side) appearing for the respondent states that the petitioner is shown as absconding accused in the charge sheet filed in C.C.No.119 of 2008 and thereafter, because of the pending NBW., the case against the petitioner was split up from that case and pending as C.C.No.9 of 2012 and there are 15 accused in C.C.No.119 of 2008.

4. It is admitted that NBW was issued against the petitioner herein in C.C.No.9 of 2012. It is further admitted that the petitioner was worked in the accused Company as a servant and he



never received any amount from the de-facto complainant as alleged in his complaint.

5. The case of the prosecution is that from 1966 to 2006 onwards, the accused persons 1 to 3 in the F.I.R., collected Rs.3 crores from the public in the name and style of Link Benefit Fund and they have repay the amount with 10% higher interest and as per the assurance given by the accused persons, the amount was not repaid and they have cheated the general public. As such, the de-facto complainant has given the complaint to the respondent police.

6. Considering the above facts and circumstances of the case and also the fact that the petitioner is worked in the accused company as a servant and the name of the petitioner herein is not mentioned in the F.I.R., 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 his arrest or on his appearance before the TNPID Court, Madurai 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 the petitioner shall appear before the TNPID Court, Madurai daily at 10.30 a.m. until further orders. The petitioner shall comply with the condition stipulated under Section 438 Cr.P.C. scrupulously.

7. The petitioner shall appear before the concerned Magistrate within a period of 10 days from the date on which the order copy is made ready, failing which, the petition for anticipatory bail stands dismissed.

sd/-
18/01/2017

/ TRUE COPY /

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

TO

- 1 THE JUDGE, TNPID COURT, MADURAI.
- 2 THE ADDL. PUBLIC PROSECUTOR
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.
- 3 THE INSPECTOR OF POLICE, DISTRICT CRIME BRANCH,
TUTICORIN DISTRICT

+1. CC to M/S.M.VENKATESAN Advocate SR.No.2774.

ORDER
IN
CRL OP(MD) No.23904 of 2016
Date :18/01/2017