



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

Thursday, the Seventh day of June Two Thousand Eighteen

PRESENT

The Hon`ble Mr.Justice G.R.SWAMINATHAN

CRL OP(MD) No.6039 of 2018
AND
CRL MP(MD)NO.3538 OF 2018

N.KRISHNA KUMAR

... PETITIONER

Vs

THE INSPECTOR OF POLICE
EOW II, NAGERKOIL,
KANYAKUMARI DISTRICT.

... RESPONDENT

For Petitioner : MR.AL.SOMAYAJI, SENIOR COUNSEL FOR
M/S.T.SUNDAR RAJAN Advocate

For Respondent : MR.A.ROBINSON, Government Advocate (Crl. Side)

For Intervener : MR.S.C.HEROLD SINGH, Advocate
IN CRL MP(MD)NO.3538/2018 IN CRL OP(MD)NO.6039/2018

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

ORDER : The Court Made the following order :-

The petitioner apprehending arrest at the hands of the respondent police for the offences punishable under Sections 406, 420, 120 B IPC and Section 5 of TNPID Act, 1997 and 4, 5 (a) of Prize Chit and Money Circulation Schemes (Banning) Act, seeks anticipatory bail.

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

3.The petitioner is figuring as 21st accused in Crime No.1 of 2017 on the file of the respondent. The family of one Nirmal was running three companies in the name and style of Nirmal Krishna Nidhi Limited, Palukal Krishna Chits (P) Ltd and Nirmal Krishna Chits (P) Limited. The petitioner was employed as a Clerk in the Nirmal Krishna Chit Fund Pvt Ltd since 2005. He was named as a Director in the said company also. The establishment ran into



difficulties and committed default. Therefore, the present F.I.R came to be registered. The principal accused in this case was arrested and he was granted bail.

4. The learned Senior counsel appearing for the petitioner submits that the petitioner was shown as a Director on paper only. He did not play any active role in the running of the companies. The learned Senior counsel on instructions from the petitioner submitted that the petitioner had purchased a property vide document No.30 of 2013. The original title deed would be handed over to the investigation officer within a period of ten days from the date of receipt of a copy of this order.

5. The petitioner shall also appear before the respondent police for a period of thirty days and extend his fullest co-operation to the investigation and furnish the information that are within his knowledge. The petitioner shall not create any encumbrance in respect of the property that is the subject matter of documents Nos.30 of 2013 and 406 of 2011.

6. Recording the said undertakings given by the petitioner, 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, Nagercoil and on his executing a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) with two sureties for a like sum to the satisfaction of the learned Magistrate concerned.

7. The petitioner shall comply with the conditions stipulated under Section 438 Cr.P.C. Scrupulously. The petitioner shall appear before the concerned Magistrate within a period of 15 days from the date on which the order copy is made ready, failing which, the petition for anticipatory bail shall stand dismissed.

sd/-
07/06/2018

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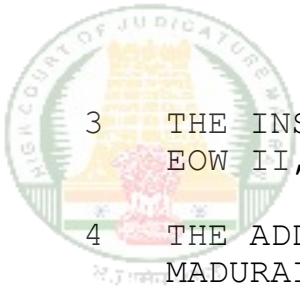
Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

TO

1 THE JUDICIAL MAGISTRATE, NAGERCOIL

2 THE CHIEF JUDICIAL MAGISTRATE

<https://hcservices.ecourts.gov.in/hcservices/>
KANIYAKUMARI DISTRICT AT NAGERCOIL



3 THE INSPECTOR OF POLICE
EOW II, NAGERKOIL, KANYAKUMARI DISTRICT.

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

WEB COPY

+1. CC to M/S.T.SUNDAR RAJAN Advocate SR.No.9759
+1cc to MR.S.C.HEROLD SINGH, Advocate in SR.No. 9756

SKM
GJM/CM/VR/RNB/12.6.18-3P-7C

ORDER
IN
CRL OP (MD) No.6039 of 2018
and CRL MP (MD) NO.3538/2018
Date :07/06/2018