



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

Monday, the Tenth day of December Two Thousand Eighteen
PRESENT

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

CRL OP(MD) No.21622 of 2018

S. NAGARAJAN

... PETITIONER / ACCUSED NO.2

Vs

STATE REP. BY
THE INSPECTOR OF POLICE,
DISTRICT CRIME BRANCH,
VIRUDHUNAGAR.
IN CRIME NO. 7 OF 2018

... RESPONDENT / COMPLAINANT

For Petitioner : M/S.S.MAHALAKSHMI Advocate

For Respondent : MR.A.ROBINSON, Government Advocate

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

ORDER : The Court Made the following order :-

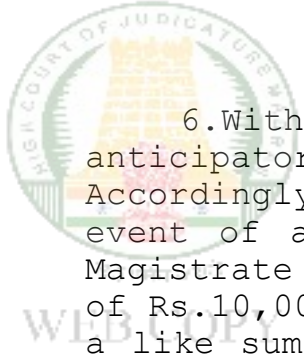
The petitioner apprehending arrest at the hands of the respondent police for the offences punishable under Sections 406, 420, 465, 467, 468, 471 r/w Section 34 and 506(i) of IPC, in Crime No.7 of 2018, seeks anticipatory bail.

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

3.It appears that the petitioner's wife and one Reshma Davood induced the public and collected sums of money from them with a promise of getting employment. It appears that the petitioner's wife was a Office Bearer of a Political Party. Since they had not secured employment as promised, the present case came to be registered. This Court had dismissed the petition filed by the petitioner on the earlier occasion. But, till date the petitioner has not been arrested. It appears that the petitioner is only the husband of the person who collected the money from the public.

4.The learned Government Advocate (Crl. Side) appearing for the respondent would submit that co-accused was granted anticipatory bail subject to conditions. But, the co-accused did not comply with the conditions.

5.This Court is of the view that in this circumstances a direction can be given to the respondent police. Accordingly, the respondent is directed to expedite the investigation and file final report.



6. With the above direction, 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 No.II, Virudhunagar 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 daily at 10.30. a.m. for a period of 30 days and thereafter as and when required for interrogation. The petitioner shall comply with the conditions stipulated under Section 438 Cr.P.C. scrupulously. The petitioner shall not apply for modification or relaxation of the condition imposed. The learned counsel for the petitioner submits that the petitioner is not possessed any property. If this statement is not correct, the respondent is at liberty to apply for cancellation of anticipatory bail.

7. 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 shall stand dismissed.

sd/-
10/12/2018

/ TRUE COPY /

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

TO

- 1 THE JUDICIAL MAGISTRATE NO.II,
VIRUDHUNAGAR.
- 2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
VIRUDHUNAGAR.
- 3 THE INSPECTOR OF POLICE,
DISTRICT CRIME BRANCH, VIRUDHUNAGAR.
- 4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1. CC to M/S.S.MAHALAKSHMI Advocate SR.No.22981

ORDER
IN
CRL OP(MD) No.21622 of 2018
Date :10/12/2018

JM/VR MMS/SAR 2/20.12.2018/2P/6C