



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

Thursday, the Third day of May Two Thousand Eighteen

PRESENT

The Hon`ble Mrs.Justice R.THARANI

CRL OP(MD) No.7530 of 2018

SHANTHI

... PETITIONER / ACCUSED No.3

Vs

THE STATE REP.BY
THE INSEPCTOR OF POLICE,
CITY CRIME BRANCH,
CR NO. 5/2018, TRICHY DISTRICT.

... RESPONDENT / COMPLAINANT

For Petitioner : M/S. M. SUBASH BABU Advocate

For Respondent : M/S.ASOKAN Govt. Advocate (Crl. Side)

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

ORDER : The Court Made the following order :-

The petitioner, who apprehend arrest at the hands of the respondent Police for the offence punishable under Sections 406,420, 468, 471, 120(B) and 506(i) of IPC in Crime No.5 of 2018 on the file of the respondent Police, seek anticipatory bail.

2.The allegation against the petitioner is that the petitioner and others cheated the defacto complainant to the tune of Rs.7,94,000/-.

3.The learned counsel for the petitioner submitted that the petitioner herein is arrayed as A3. A1 was arrested and released on bail. A2 and A4 were already released on anticipatory bail. There was a business agreement between the complainant and A1. The allegation is that A1 had received Rs.7,94,000/- from the complainant for purchasing buses but failed to purchase the buses as promised by him. Already A1 has returned a sum of Rs.3,00,000/- and the remaining amount was sent only to the finance company and prayed the petitioner to be released on bail.



4. On the side of the respondent, it is stated that forging the signature of the complainant, the petitioner colluded with other accused and used the document to pledge in the finance company and even after the complainant went to America on 07.12.2017 a car was taken delivery on 22.12.2017 by forging the signature of the complainant.

5. Records perused. A3 is only the mother of A1 and there is no specific overtact against the petitioner and all the other accused were already released on bail.

6. Considering the facts and circumstances of the case and also taking note of the fact that co-accused have already been released on bail, I am inclined to grant anticipatory bail to the petitioner. Accordingly, petitioner is ordered to be released on bail in the event of arrest or on their appearance, within a period of 15 days from the date on which the order copy is made ready, before the learned Judicial Magistrate Court II, Trichy on condition that 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 respondent Police or the police officer who intends to arrest or to the satisfaction of the learned Magistrate concerned and on further condition that:

[a] the petitioner shall report before the respondent Police daily at 10.30 a.m. until further orders.

[b] the petitioner shall not tamper with evidence or witness either during investigation or trial.

[c] the petitioner shall not abscond either during investigation or trial.

[d] on breach of any of the aforesaid conditions, the learned 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 learned Magistrate / Trial Court himself as laid down by the Hon'ble Supreme Court in P.K.Shaji vs. State of Kerala (2005 AIR SCW 5560).

sd/-
03/05/2018

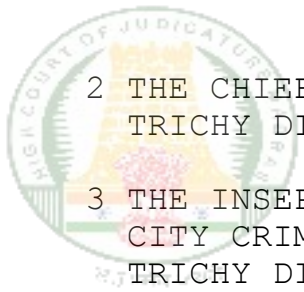
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Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

TO

<https://hcservices.ecourts.gov.in/hcservices/>

1 THE JUDICIAL MAGISTRATE NO.II,
TRICHY.



2 THE CHIEF JUDICIAL MAGISTRATE,
TRICHY DISTRICT.

3 THE INSEPCTOR OF POLICE,
CITY CRIME BRANCH,
TRICHY DISTRICT.

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

+1. CC to M/S. M. SUBASH BABU Advocate SR.No.8225.

ORDER

IN

CRL OP (MD) No.7530 of 2018

Date :03/05/2018

SDS/PMI/GSR/08.05.2018/3P/6C