



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

Monday, the Second day of July Two Thousand Eighteen

WEB COPY

PRESENT

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

CRL OP(MD) No.10695 of 2018

1 VIJAYALAKSHMI
2 SIVAMANI ALIAS THIRUMANI
3 P.NANDHA KUMAR
4 KAMALA KANNAN
5 ARAVIND KUMAR

... PETITIONERS/ACCUSED No.2 to 6

Vs

THE STATE REP.BY,
THE INSPECTOR OF POLICE
CITY CRIME BRANCH,
MADURAI DISTRICT,
IN CRIME NO. 23/2018

... RESPONDENT/COMPLAINANT

For Petitioners : MR.M.JEGADEESH PANDIAN, Advocate

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

For Intervenor : MR.M.BABU JEGANNATH, Advocate

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

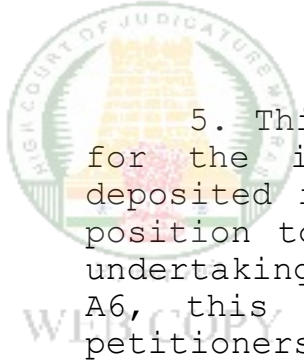
ORDER : The Court Made the following order :-

The petitioners apprehend arrest at the hands of the respondent police for the offences punishable under Sections 120(B), 406 and 420 of I.P.C., in Crime No.23 of 2018, seek anticipatory bail.

2. It is seen that the primary allegations are only against the first accused Muguntha Kumar and he said to be absconding.

3. The petitioners' counsel on instructions from the petitioners undertook that the petitioners are not in touch with the Muguntha Kumar / A1 and that if the said Muguntha Kumar gets in touch with them, they would promptly convey the information to the investigating officer. The first petitioner is the mother. The second petitioner is the wife and the petitioners 3 to 5 are the brothers of the principal accused.

4. The learned counsel for the intervenor strongly opposed the grant of anticipatory bail on the ground that the petitioners have segregated the amount illegally collected from the de-facto complainant,



5. This Court posed a specific question to the learned counsel for the intervenor to show whether any such amount has been deposited in the account of the petitioners herein, he is not in a position to place any material as of now. Therefore, recording the undertaking given by the learned counsel for the petitioners / A2 to A6, this Court is inclined to grant anticipatory bail to the petitioners with certain conditions. Accordingly, the petitioners are ordered to be released on bail in the event of arrest or on their appearance before the learned Judicial Magistrate No.I, Madurai and on their executing a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) with two common sureties each for a like sum to the satisfaction of the learned Magistrate concerned and on further condition that the petitioners shall appear before the respondent police as and when required for interrogation. The petitioners shall comply with the conditions stipulated under Section 438 Cr.P.C. scrupulously.

6. The petitioners 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.

7. It is made clear that if this undertaking is breached and the petitioners are found to harbour the accused, it will be open to the prosecution as well as the de-facto complainant to move this Court by initiating contempt proceedings.

sd/-

02/07/2018

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

TO

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

+1. CC to MR.M.JEGADEESH PANDIAN, Advocate SR.No.12059

ORDER

IN

CRL OP(MD) No.10695 of 2018

Date :02/07/2018