



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

Monday, the Ninth day of July Two Thousand Eighteen
PRESENT

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

WEB COPY

CRL OP(MD) No.11236 of 2018

1 SELVAKUMAR
2 M.JHOTHY

... PETITIONERS/ ACCUSED NO.1 & 3

Vs

STATE REP.BY
THE INSPECTOR OF POLICE
DISTRICT CRIME BRANCH,
THENI DISTRICT
CRIME NO.23 OF 2018

... RESPONDENT/ COMPLAINANT

NALLAPERUMAL ...PETITIONER /INTERVENER
IN CRL MP(MD)NO.5242/2018 IN CRL OP(MD)NO.11236/2018

For Petitioners : MR.N.RANJITH Advocate

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

For Intervener : MR.VIJAI BOOMINATHAN, Advocate
IN CRL MP(MD)NO.5242/2018 IN CRL OP(MD)NO.11236/2018

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

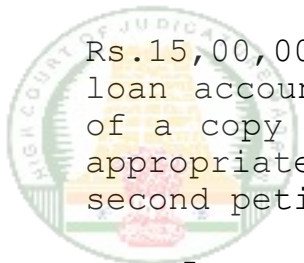
ORDER : The Court Made the following order :-

The petitioners, apprehending arrest at the hands of the respondent police for the offences punishable under Sections 120(b), 406, 420 and 506(i) IPC in Crime No.23 of 2018, seek anticipatory bail.

2.Heard the learned counsel appearing for the petitioners and the learned Government Advocate (Crl. Side) appearing for the respondent Police and also the learned counsel appearing for the intervenor.

3.The petitioners had availed finance facility from State Bank of India. The finance assistance was extended again pledging of cashew nuts. It appears that the said cashew nuts were unlawfully replaced by charred shells. Hence, a case has been registered in the above said Crime Number. The second accused has already been arrested. The third accused, who is the second petitioner herein is the wife of the second accused.

4.The learned counsel appearing for the petitioners, on instructions from the second petitioner, undertakes that a sum of



Rs.15,00,000/- will be paid by the second petitioner towards her loan account within a period of two weeks from the date of receipt of a copy of this order. Remaining stock and goods shall also be appropriated by the defacto complainant towards loan account of the second petitioner.

5. In view of the offer made by the second petitioner, this Court is inclined to grant anticipatory bail to the second petitioner alone with certain conditions. This Criminal Original Petition is not pressed as far as the first petitioner herein.

6. Accordingly, the second petitioner is ordered to be released on bail in the event of arrest or on her appearance before the learned Judicial Magistrate, Theni and on her 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 and on further condition that the second petitioner shall appear before the respondent police as and when required for interrogation. The second petitioner shall comply with the conditions stipulated under Section 438 Cr.P.C. scrupulously.

7. The second 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/-
09/07/2018

/ TRUE COPY /

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

TO

- 1 THE JUDICIAL MAGISTRATE, THENI DISTRICT.
- 2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE
THENI DISTRICT
- 3 THE INSPECTOR OF POLICE, DISTRICT CRIME BRANCH,
THENI DISTRICT.
- 4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1. CC to M/S.N.RANJITH Advocate SR.No.12561

+1cc to MR.S.SUKUMAR, Advocate in SR.No. 12604

GNS

GJM/JC/GSR/16.7.18-2P-7C

ORDER
IN
CRL OP(MD) No.11236 of 2018
Date :09/07/2018