



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

Thursday, the Thirtieth day of August Two Thousand Eighteen

WEB COPY

PRESENT

The Hon`ble Mr.Justice G.K.ILANTHIRAIYAN

CRL OP(MD) No.14890 of 2018

R.MANJULA

... PETITIONER / 1st ACCUSED

Vs

THE STATE REP.THROUGH
THE INSPECTOR OF POLICE,
DISTRICT CRIME BRANCH,
VIRUDHUNAGAR DISTRICT.
IN CRIME NO.10 OF 2017

... RESPONDENT / COMPLAINANT

For Petitioner : Mr.K.MUTHUMALAI Advocate

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

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

ORDER : The Court Made the following order :-

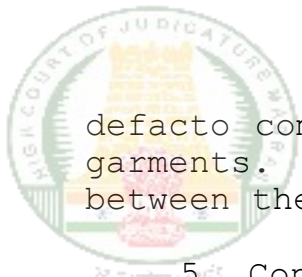
The petitioner apprehends arrest at the hands of the respondent police for the offences punishable under Sections 406, 420, 506(i) and 34 of IPC in Crime No.10 of 2017, seeks anticipatory bail.

2.The case of the prosecution is that the defacto complainant is running a garment company and doing business of garments sales. The first accused alleged to have running a readymade garment company in the name and style as 'Maha tex'. A2 is the employee of A1. A2 has purchased the garments to the tune of Rs.65,00,000/- from the defacto complainant and thereafter he has not settled the amount. Hence a complaint has been registered.

3.The learned counsel for the petitioner would submit that the the petitioner herein/ A1 is a widow and simply she lend her name in favour of A2 to run the business in the name and style of 'Maha tex'. Further, there was already a business transaction between A2 and defacto complainant, in which the defacto complainant supplied goods in favour of A2 and A2 has also repaid the amount through cheque and RTGS. In respect of goods purchased for the past six months, A2 did not paid any amount. Therefore, the petitioner is nothing to do with this crime.

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

4.It is seen that there is a business transaction between the



defacto complainant and the second accused in respect of purchasing garments. There is also money transaction by cheques and RTGS between the defacto complainant and the second accused.

5. Considering the facts and circumstances of this case, 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 as and when required for interrogation. The petitioner shall comply with the conditions stipulated under Section 438 Cr.P.C. scrupulously.

6. 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/-
30/08/2018

/ 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 THE CHIEF JUDICIAL MAGISTRATE,
VIRUDHUNAGAR AT SRIVILLIPUTTUR.
- 3 THE INSPECTOR OF POLICE,
DISTRICT CRIME BRANCH, VIRUDHUNAGAR DISTRICT.
- 4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1. CC to M/S.K.MUTHUMALAI Advocate SR.No.16546
PS/RR/SAR-1:05/09/2018;2P/6C

ORDER
IN
CRL OP(MD) No.14890 of 2018
Date :30/08/2018