



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

Tuesday, the Eleventh day of September Two Thousand Eighteen

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PRESENT

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

CRL OP(MD) No.15404 and 16114 of 2018

POWLIN DORA

... PETITIONER / ACCUSED NO.2
IN CRL OP(MD) No.15404 of 2018

OLIVER

... PETITIONER / ACCUSED NO.1
IN CRL OP(MD) No.16114 of 2018

Vs

STATE REP. BY
THE INSPECTOR OF POLICE,
DISTRICT CRIME BRANCH,
KANYAKUMARI DISTRICT.
(CR.NO.20 OF 2018)

... RESPONDENT / COMPLAINANT
IN BOTH PETITIONS

For Petitioner : M/S.M.SUBASH BABU, Advocate
in both petitions

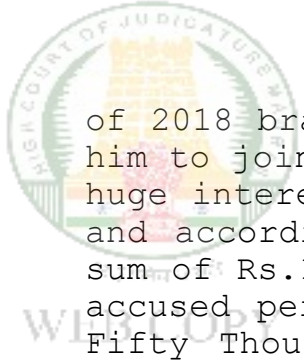
For Respondent : MR.V.NEELAKANDAN,
Additional Public Prosecutor in both petitions

PETITION FOR BAIL Under Sec. 439 Cr.P.C.

ORDER : The Court Made the following order :-

The petitioners are in judicial custody since 02.08.2018 for the offence punishable under Section 420 IPC in Crime No.20 of 2018 on the file of the respondent police. They seek bail.

2.The case of the prosecution is that the petitioners herein introduced themselves that they are running a Finance Company in the name and style of "Prompt Multi State Co-operative Housing Board Society" and the said company is aided with Central Government. In the month of July, 2016, the petitioner / first accused in Crl.O.P.(MD) No.15404 of 2018 was working as Regional Manager. In the month of July, 2016, the petitioner / first accused in Crl.O.P.(MD) No.16114 of 2018 was working as Regional Manager.



of 2018 brain washed the defacto complainant's husband and insisted him to joint in fixed deposit scheme and promised that she would pay huge interest along with the deposit amount at the time of maturity and accordingly, the defacto complainant's husband had deposited a sum of Rs.15,000/- (Rupees Fifteen Thousand Only). Thereafter, the accused persons received a sum of Rs.5,50,000/- (Rupees Five Lakhs Fifty Thousand Only) on various dates on false promise that they will arrange the Post of Manager in the said Finance Company. Again the second accused approached the defacto complainant and demanded a sum of Rs.10,00,000/- (Rupees Ten Lakhs Only) for promotion to the post of Regional Manager. Thereafter, the defacto complainant had also executed a sale agreement in favour of the first accused as if he received a sum of Rs.5,00,000/- (Rupees Five Lakhs Only) as advance in the total sale consideration of Rs.5,26,000/- and executed a sale agreement dated 05.08.2012. Thereafter, the defacto complainant and her husband came to understand that the said Company is not aided by the Central Government, it is the bogus one. Hence, the complaint.

3. Heard the learned counsel appearing for the petitioners and the learned Additional Public Prosecutor appearing for the respondent.

4. The learned counsel appearing for the petitioners would submit that she worked for 11 months and received a sum of Rs.15,000/- (Rupees Fifteen Thousand Only) as monthly salary. Thereafter, she herself relieved from her job due to she got pregnant. Thereafter, she did not turn to join duty. On valid sales consideration of Rs.5,00,000/- paid by the defacto complainant and after receipt of the same, the sale agreement has been executed and it is nothing to do with the above said Crime.

5. It is seen from the documents that she joined duty in the Company introduced by the accused persons and she worked for 11 months and also received some salary. Further the petitioners are arrested and remanded for judicial custody from 02.08.2018.

6. Considering the above facts and circumstances and also considering the period of incarceration of the petitioners, this Court is inclined to grant bail to the petitioners on condition that the petitioners jointly deposit a sum of Rs.3,00,000/- (Rupees Three Lakhs Only) to the credit of Crime No.20 of 2018. Accordingly, the petitioners are ordered to be released on bail subject to the following conditions:-

(i) the petitioners shall execute a bond for a sum of Rs.10,000/- (Rupees Ten Thousand Only) each with two sureties, for a like sum to the satisfaction of the learned Judicial Magistrate



(ii) the petitioners shall appear before the respondent police daily at 10.30 a.m., until further orders.

sd/-
11/09/2018

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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,
NAGERCOIL.
 - 2 -DO- THROUGH THE CHIEF JUDICIAL MAGISTRATE,
KANYAKUMARI DISTRICT.
 - 3 THE INSPECTOR OF POLICE,
DISTRICT CRIME BRANCH, KANYAKUMARI DISTRICT.
 - 4 THE OFFICER INCHARGE,
DISTRICT PRISON, NAGERCOIL.
 - 5 THE OFFICER INCHARGE,
SUB JAIL, THUCKALAY.
 - 6 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.
- +2. CC to M/S.M.SUBASH BABU Advocate SR.No.17351 & 17350

ORDER

IN

CRL OP(MD) No.15404 and 16114 of 2018

Date :11/09/2018

JM/VR MMS/SAR 4/12.09.2018/3P/9C