



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

Monday, the Tenth day of September Two Thousand Eighteen

PRESENT

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

CRL OP(MD) No.16138 of 2018

1 R.VARADARAJAN

2 DVENGADESAN NAIDU

...PETITIONERS / ACCUSED NOS. 1 & 2

Vs

STATE REP.BY

THE INSPECTOR OF POLICE,
MANAPPARAI POLICE STATION,
TRICHY DISTRICT.

CRIME NO.323 OF 2018

... RESPONDENT / COMPLAINANT

For Petitioners: Mr.J.LAWRANCE, Advocate

For Respondent : Mr.V.NEELAKANDAN, Additional Public Prosecutor

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

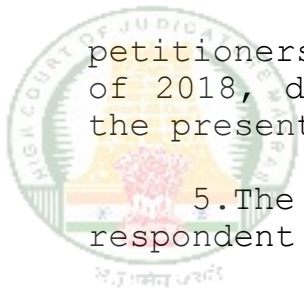
ORDER : The Court Made the following order :-

The petitioners, who apprehend arrest at the hands of the respondent police for the offences punishable under Sections 120(b), 465, 379, 474, 471 and 420 I.P.C in Crime No.323 of 2018, seek anticipatory bail.

2.The case of the prosecution is that the petitioners and others, who are the Secretary and members of the Executive committee of the Manapparai Naidu Mahajana Sangam in collusion since last few months, started committing irregularities and illegalities and not maintaining the accounts properly. Hence, the case has been registered.

3.The learned counsel appearing for the petitioners would submit that the defacto complainant already one of the witnesses in C.C.No.106 of 2018 and having taken cognizance under Sections 120(b), 379, 420, 468, 471, 474 I.P.C r/w Section 34 I.P.C in Crime No.464 of 2014 on the file of the same respondent police. Again, now the defacto complainant lodged a complaint before the same respondent police with same set of allegations. Therefore, he prays for anticipatory bail to the petitioners.

4.It is seen that the same defacto complainant is one of the witnesses in C.C.No.106 of 2018 pending on the file of the learned Judicial Magistrate, Manapparai, Trichy District, in which, the



petitioners were granted anticipatory bail in Crl.O.P.(MD).No.13465 of 2018, dated 31.07.2018. Again with the same set of allegations, the present complaint has been lodged by the defacto complainant.

5.The learned Additional Public Prosecutor appearing for the respondent submitted that the investigation is pending.

6.Taking note of all these aspects, 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, Manapparai and on their executing a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) each with two 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.

7.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.

sd/-

10/09/2018

/ TRUE COPY /

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

TO

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

+1. CC to Mr.J.LAWRANCE Advocate SR.No.17324

ORDER IN

CRL OP(MD) No.16138 of 2018

Date :10/09/2018

MS/VR-MMS/SAR-4/11.09.2018/2P.6C