



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

Monday, the Twenty Ninth day of October Two Thousand and Eighteen

PRESENT

WEB COPY

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

CRL OP(MD) No.16109 of 2018  
AND  
CRL MP(MD) No.8068 of 2018

1.P.GANTHIMATHI  
2.DUR AISAMY  
3.P.MUTHU VINAYAGAM

... PETITIONERS / ACCUSED RANK NOT KNOWN  
(in CRL OP(MD) No.16109 of 2018)

Vs

THE INSPECTOR OF POLICE,  
CITY CRIME BRANCH,  
TIRUNELVELI DISTRICT  
CRIME NO.NOT KNOWN OF 2018

... RESPONDENT / COMPLAINANT  
(in CRL OP(MD) No.16109 of 2018)

R.NATARAJAN

... PETITIONER/INTERVENER  
(CRL MP(MD) No.8068 of 2018  
in CRL OP(MD) No.16109 of 2018)

For Petitioners : Mr.J.JEYAKUMARAN Advocate

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

For Intervenor : Mr.S.M.A.JINNAH, Advocate

**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 406 and 420 I.P.C in Crime No.40 of 2018, seek anticipatory bail.

2.The case of the prosecution is that the first petitioner's husband L.Mariappan is running a jewellery shop in the name and style of Vinayaga Jewellery. The defacto complainant is doing a pawn broker business and he well knew about the first petitioner's husband. On 23.08.2018, the defacto complainant deposited a sum of Rs.25,00,000/- to the credit of the first petitioner's husband's account for taking jewel auction conducted by the Muthoot Finance Ltd., After receiving the said amount, he failed to do so. Hence, the complaint.



3.The learned counsel appearing for the petitioners would submit that due to misappropriation of funds, the first petitioner's husband has given a written statement before the respondent police, in which, it is stated that 157 grams of gold worth about Rs.4,75,000/-, cash Rs.25,000/-, an original document of his shop, worth about Rs.10,00,000/- and also five blank cheques have been given to the defacto complainant and the same was also agreed by the defacto complainant. Hence, he prays for anticipatory bail.

4.Heard the learned counsel for the intervener.

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

6.Considering the submission made by the learned counsel for the petitioners and also taking note of the facts and circumstances, 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, Tirunelveli 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/-  
29/10/2018

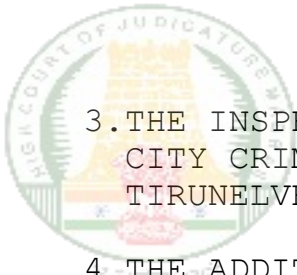
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Sub-Assistant Registrar (C.S.)  
Madurai Bench of Madras High Court,  
Madurai - 625 023.

TO

1.THE JUDICIAL MAGISTRATE NO.I,  
TIRUNELVELI.

2.DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,  
TIRUNELVELI.



3. THE INSPECTOR OF POLICE,  
CITY CRIME BRANCH,  
TIRUNELVELI DISTRICT

4. THE ADDITIONAL PUBLIC PROSECUTOR,  
MADURAI BENCH OF MADRAS HIGH COURT,  
MADURAI

+1. CC to Mr. J. JEYAKUMARAN, Advocate, SR.No.20513.

ORDER  
IN  
CRL OP (MD) No.16109 of 2018  
AND  
CRL MP (MD) No.8068 of 2018  
Date :29/10/2018

RAM/JC/SAR 4/09.11.2018/3P/6C