



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

Thursday, the Fourth day of October Two Thousand Eighteen

WEB COPY

PRESENT

The Hon`ble Mr.Justice N.ANAND VENKATESH

CRL OP(MD) No.17711 of 2018

1 MRS. ALAGU CHITRAK
2 C. PALPANDI
3 P. MURUGESAN
4 M. RASSIAH
5 R. PALPANDIAN

... PETITIONERS / ACCUSED NO.2 TO 4,7,9

Vs

STATE REPRESENTED BY
THE INSPECTOR OF POLICE,
DISTRICT CRIME BRANCH,
THENI DISTRICT.
CRIME NO.42/2018

... RESPONDENT / COMPLAINANT

For Petitioners : MR.R.MAHESWARAN Advocate

For Respondent : MRS. M.ANANTHA DEVI, Govt. Advocate (Crl. Side)

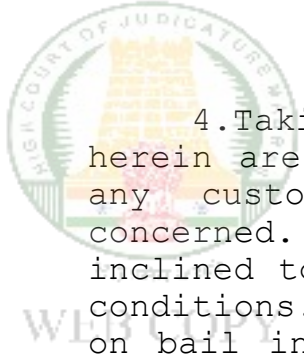
PETITION FOR ANTICIPATORY BAIL Under Sec. 438 Cr.P.C.

ORDER : The Court Made the following order :-

The petitioners apprehend arrest at the hands of the respondent police for the offences punishable under Sections 120(B), 406, 420, 506(i) I.P.C, in Crime No.42 of 2018, seek anticipatory bail.

2.The learned counsel for the petitioners would submit that A1, A5 and A8 took independent loan from the defacto complainant's finance company and the petitioners herein stood as guarantors for the said loan. Since the loan amount was not settled to the finance company, the present case has been registered by the respondent police for the offence punishable under Sections 120(b), 406, 420, 506(i) I.P.C.

3.The learned Government Advocate (Criminal Side) for the respondent would submit that A1, A5 and A8 took vehicle loan to the tune of Rs.68 lakhs and the due amount payable to the finance company works out a sum of Rs.38 lakhs. Without settling this loan, A1, A5 and A8 have sold the vehicle to A10 and A11. Therefore, the respondent police have registered an F.I.R against all the accused persons and the investigation is pending.



4. Taking into consideration the fact that the petitioners herein are only guarantors to the said loan. There is no need for any custodial interrogation insofar as the petitioners are concerned. In the facts and circumstances of the case, 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, Theni 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.

5. 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/-
04/10/2018

/ TRUE COPY /

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

TO

- 1 THE JUDICIAL MAGISTRATE, THENI
- 2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE
THENI
- 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 MR.R.MAHESWARAN Advocate SR.No.18980

ORDER
IN
CRL OP(MD) No.17711 of 2018
Date : 04/10/2018