



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

Tuesday, the Ninth day of October Two Thousand Eighteen

PRESENT

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

CRL OP(MD) No.18038 of 2018

1 SURULICHAMY

2 LOGAMBAL

... PETITIONER/ACCUSED NO.1 & 2

Vs

STATE REP. BY

THE INSPECTOR OF POLICE

DINDIGUL TOWN NORTH POLICE STATION,

DINDIGUL DISTRICT

(CRIME NO.885 OF 2018)

... RESPONDENT / COMPLAINANT

For Petitioners : MR.AN.RAMANATHAN 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 apprehend arrest at the hands of the respondent police for the offences punishable under Sections 294(b), 341, 323, 406, 420 and 506(i) of I.P.C., in Crime No.885 of 2018, seek anticipatory bail.

2. The case of the prosecution is that the petitioners borrowed a sum of Rs.50,000,00/- from the de-facto complainant in the year 2012. Till 2018, they did not repay the same. Hence, the complaint.

3. The learned counsel appearing for the petitioners would submit that admittedly the case of the de-facto complainant is that he lend money in the year 2012 and thereafter, he did not even ask for interest and money paid to the petitioners. After a period of six years, now he filed the false complaint alleging that the petitioners borrowed a sum of Rs.50,000,00/- without any document and without any security. Therefore, he sought for anticipatory bail.

4. The learned Additional Public Prosecutor appearing for the respondent would submit that in the year 2012, the de-facto complainant lend money to the tune of Rs.50,000,00/- to the petitioners and another and in turn, they did not repay the same.



5. It is seen from the allegations that admittedly the de-facto complainant lend a sum of Rs.50,00,000/- in the year 2012 to the petitioners without any security and without any documents from the petitioners. After having waited for six years, in the year 2018, the present complaint has been lodged.

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6. 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.II, Dindigul 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/-
09/10/2018

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

TO

- 1 THE JUDICIAL MAGISTRATE NO II, DINDUGAL
- 2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE
DINDUGAL
- 3 THE INSPECTOR OF POLICE,
DINDIGUL TOWN NORTH POLICE STATION,
DINDIGUL DISTRICT.
- 4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI

+1. CC to MR.AN.RAMANATHAN Advocate SR.No. 19324

ORDER
IN
CRL OP(MD) No.18038 of 2018
Date :09/10/2018