



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

Monday, the Eleventh day of March Two Thousand Nineteen

PRESENT

**The Hon`ble Mr.Justice M.DHANDAPANI**

**CRL OP (MD) No.3642 of 2019**

- 1.NAGASUNDARI
- 2 KRISHNA RANI @ GIRIJA RANI
- 3 DHANALAKSHMI
- 4 RANI
- 5 ANITHA
- 6 ILANGAMMAL @ ILANGAMMAL DEVI
- 7 SUMATHI
- 8 BANUMATHI
- 9 AMUTHA
- 10 VALLI
- 11 PANDIAMMAL
- 12 THIRUKKAMMAL
- 13 MURUGESWARI
- 14 ANNAKILI
- 15 DEVAKUMARI
- 16 SOLAIPPAN
- 17 INDURANI

Vs

THE STATE BY  
THE INSPECTOR OF POLICE,  
MUDUKULATHUR POLICE STATION,  
RAMNAD DISTRICT  
(CRIME NO.17/2019)

... RESPONDENT / COMPLAINANT

For Petitioners : MR.D.VENKATESH Advocate

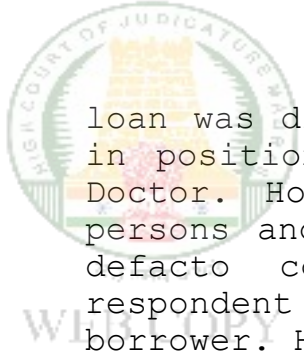
For Respondent : MR.S.CHANDRASEKAR,  
Additional Public Prosecutor

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

ORDER : The Court Made the following order :-

The petitioners who apprehends arrest at the hands of the respondent police for the alleged offence under Sections 120(B), 420, 465, 468, 471, 477 (A) of in Cr.No.17 of 2019, on the file of the respondent police, seek anticipatory bail.

2. The case of the prosecution is that 17 petitioners herein are farmers. They borrowed a goat loan from the society. The said



loan was disbursed in favour of the petitioners when A1 to A4 were in position of President, Secretary, Field Officer and Veterinary Doctor. However A1 to A4 disbursed the loan amount to innocent persons and the said loan was not repaid to the bank, thereby the defacto complainant /President filed a complaint before the respondent police implicating the earlier management as well as the borrower. Hence the complaint.

3.The learned counsel appearing for the petitioners in Crl.O.P (MD) No.3642 of 2019 would submit that the petitioners borrowed a goat loan from the erstwhile bank management in which they are regularly re-paying the amount to the bank and they did not commit any offence as alleged by the prosecution.

4.The learned Additional Public Prosecutor appearing for the State would submit that however no records were available in disbursal of the loan amount and repayment of the loan amount. However he want to file counter in respect of anticipatory bail application filed by A1 to A4 in Crl.O.P(MD) No. 3647 of 2019

5.Considering the facts and circumstances and considering the fact that the petitioners are farmers , this Court is inclined to grant anticipatory bail to the petitioners. Accordingly, the petitioners are ordered to be released on bail in the event of arrest or on their appearance, within a period of fifteen days from the date of receipt of a copy of this order, before the learned Judicial Magistrate, Mudukulathur on condition that the petitioners shall execute 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 respondent police or the police officer who intends to arrest or to the satisfaction of the learned Magistrate concerned and on further condition that:

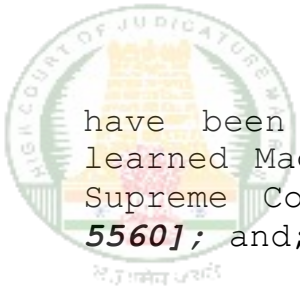
(a)the petitioners and the sureties shall affix their photographs and left thumb impression in the surety bond and the Magistrate may obtain a copy of their Aadhar card or Bank pass Book to ensure their identity;

(b)the 16<sup>th</sup> petitioners shall report before the respondent police daily at 10.30 a.m.,until further orders and the petitioners 1 to 15 and 17 shall report before the respondent police as and when required for interrogation;

(c)the petitioners shall not tamper with evidence or witness either during investigation or trial;

(d)the petitioners shall not abscond either during investigation or trial;

(e)on breach of any of the aforesaid conditions, the learned Magistrate/ Trial Court is entitled to take appropriate action against the petitioners in accordance with law as if the conditions



have been imposed and the petitioners released on bail by the learned Magistrate/Trial Court himself as laid down by the Hon'ble Supreme Court in **P.K.Shaji Vs. State of Kerala [(2005) AIR SCW 5560]**; and;

(f) if the accused thereafter absconds, a fresh FIR can be registered under Section 229-A IPC.

sd/-  
11/03/2019

/ TRUE COPY /

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

TO

1. THE JUDICIAL MAGISTRATE,  
MUDUKULATHUR.
  2. DO THRO' THE CHIEF JUDICIAL MAGISTRATE,  
RAMANATHAPURAM DISTRICT.
  3. THE INSPECTOR OF POLICE,  
MUDUKULATHUR POLICE STATION,  
RAMNAD DISTRICT.
  - 4 THE ADDITIONAL PUBLIC PROSECUTOR,  
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.
- +1. CC to MR.D.VENKATESH Advocate SR.No.4764

ORDER  
IN  
CRL OP(MD) No.3642 of 2019  
Date : 11/03/2019

AE/VR/SAR-IV/13.03.2019/3P/6C