



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

Monday, the Twenty Fifth day of March Two Thousand Nineteen

PRESENT

The Hon`ble Mr.Justice M.DHANDAPANI

CRL OP (MD) No.4387 of 2019

1 SENTHAMIL SELVI
2 DINESH KUMAR

... PETITIONER / ACCUSED

Vs

STATE REP.BY
THE INSPECTOR OF POLICE
CCB POLICE STATION,
TRICHY CITY.
CRIME NO.28 OF 2016

... RESPONDENT / COMPLAINANT

For Petitioners: Mr.A.PUNITHAVANAN, Advocate

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

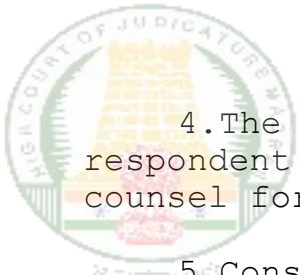
PETITION FOR ANTICIPATORY BAIL Under Sec. 438 Cr.P.C.

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 465, 468, 471, 406, 420, 294 (b) and 501 (1) of IPC in Cr.No.28 of 2016, on the file of the respondent police, seek anticipatory bail.

2.It is the case of the prosecution that the first petitioner is A3 and the second petitioner is the husband of A3. A3 and the other accused persons were ran a fake educational institute as it was granted affiliation and issued a fake appointment orders in favour of the victims, after collecting the huge amount. Thereafter, the victims went to the education and demanded the money from the accused persons. The accused persons abused the defacto complainant and threatent him with dire consequence. Hence the complaint.

3.The learned counsel appearing for the petitioners would submit that the petitioners have not committed any offence as alleged by the prosecution and have been falsely implicated in this case. A1 was arrested and released on bail by the Sessions Court. A2, A4 & A5 were already granted anticipatory bail. He would further submit that the petitioners are ready and willing to deposit a sum of RS.50,000/- without prejudice to their rights and prayed for granting anticipatory bail.



4. The learned Additional Public Prosecutor appearing for the respondent police did not dispute the fact submitted by the learned counsel for the petitioners.

5. Considering the facts and circumstances of the case and since the petitioners are come forward to deposit a sum of Rs.50,000/- (Rupees Fifty Thousand Only) without prejudice to their rights and contentions to show their *bona fide*, 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, No.I, Trichy 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 shall deposit a sum of Rs.50,000/- to the Credit of Crime Number 28 of 2016 before the learned Judicial Magistrate, No.I, Trichy before the execution of sureties, without prejudice to their defence.

(b) 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;

(c) the petitioners shall report before the respondent police as and when required for interrogation

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

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

(f) 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/-

25/03/2019

/ TRUE COPY /

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



TO

1. THE JUDICIAL MAGISTRATE NO.I, TRICHY.
2. DO-THROUGH THE CHIEF JUDICIAL MAGISTRATE,
TRICHY DISTRICT.
3. THE INSPECTOR OF POLICE
CCB POLICE STATION, TRICHY CITY.
4. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.

+1. CC to Mr.A.PUNITHAVANAN Advocate SR.No.5432

ORDER

IN

CRL OP (MD) No.4387 of 2019

Date :25/03/2019

MS/VR/SAR-3/27.03.2019/3P.6C