



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

Tuesday, the Twenty Second day of January Two Thousand Nineteen

PRESENT

The Hon`ble Mr.Justice M.NIRMAL KUMAR

CRL OP(MD) No.677 of 2019

1 G.JEBARANI
2 K.PALANICHAMY
3 P.JEYAKODI

... PETITIONERS / ACCUSED
No.3,5 and 6

Vs

THE STATE REPRESENTED BY
THE INSPECTOR OF POLICE
DISTRICT CRIME BRANCH,
THENI
Crime No.49/2018

... RESPONDENT / COMPLAINANT

For Petitioners : Mr.T.THIRUMURUGAN Advocate

For Respondent : Mr.K.SUYAMBULINGA BHARATHI
Govt. Advocate (Crl. Side)

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

ORDER : The Court Made the following order :-

The petitioners, who apprehend arrest for the offences under Sections 406, 420 and 120(b) of IPC in Crime No.49 of 2018 on the file of the respondent police, seek anticipatory bail.

2. The case of the prosecution is that the de facto complainant Sakthivel has lodged a complaint before the respondent police that husband of the 1st petitioner viz., Ganesan along with others have approached the de facto complainant and obtained a loan of Rs.50,00,000/- (Rupees Fifty Lakhs only) and cheated him. Hence, the complaint has been filed.

3. Learned Government Advocate (Crl., side) would submit that in Crl.O.P.No.22492 of 2018 dated 07.01.2019, the said Ganesan was arrested and released on bail by this Court and A4 was granted Anticipatory Bail by this Court in Crl.O.P.No.21695 of 2018 dated



4. Taking into consideration the submissions made by the learned counsel appearing on either sides, this Court is inclined to grant anticipatory bail to the petitioner.

5. 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, Theni District on condition that the petitioner shall execute a bond for a sum of Rs.10,000/- (Rupees ten thousand only) with two sureties, each for a like sum to the satisfaction of the said Magistrate, on further condition that:

[a] if the petitioners fail to surrender before the said Magistrate within a period of fifteen days, this order shall stand automatically cancelled.

[b] the petitioners shall report before the respondent police every Monday at 10:30 a.m. for a period of two weeks 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 petitioner 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].

[f] If the accused/petitioners thereafter abscond, a fresh FIR can be registered under Section 229-A IPC.

sd/-
22/01/2019

/ TRUE COPY /

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



TO

1. THE JUDICIAL MAGISTRATE,
THENI DISTRICT.

2. THE CHIEF JUDICIAL MAGISTRATE,
THENI DISTRICT.

3. THE INSPECTOR OF POLICE,
DISTRICT CRIME BRANCH, THENI

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

+1. CC to Mr.T.THIRUMURUGAN Advocate SR.No.1109

ORDER

IN

CRL OP(MD) No.677 of 2019

Date :22/01/2019

TK/VR/SAR-1/06.02.2019/3P/6C