



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

Wednesday, the Fifteenth day of May Two Thousand Nineteen

PRESENT

The Hon`ble Mr Justice B.PUGALENDHI

CRL OP (MD) No.6774 of 2019

1 M.VASUKI
2 SATHYA SEELAN
3 KAJA @ GAJALAKSHMI

... PETITIONERS/ACCUSED No.1 TO 3

Vs

THE SUB INSPECTOR OF POLICE,
GOLDEN ROCK POLICE STATION,
TRICHY CITY,
TRICHY (CR.NO.192/2019)

... RESPONDENT/COMPLAINANT

For Petitioners : MR.D.SADIQ RAJA, Advocate

For Respondent : MR.A.ROBINSON, Government Advocate (Crl.Side)

For Intervenor : MR.N.ANADAKUMAR, Advocataae

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

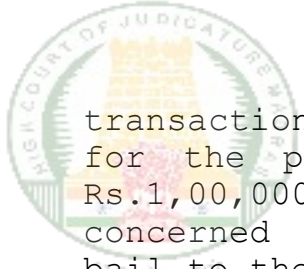
ORDER : The Court Made the following order :-

The petitioners/accused Nos.1 to 3, who apprehend arrest at the hands of the respondent police for the alleged offence punishable under Sections 420 of IPC and Section 4 of Prize Chit and Money CIR Schemes (Banning) Act, 1978, in Crime No.192 of 2019 on the file of the respondent police, seek anticipatory bail.

2.Heard Mr.D.Sadiq Raja, learned Counsel for the petitioners and Mr.A.Robinson, learned Government Advocate (Crl Side) appearing for the State.

3.The case of the prosecution is that the petitioners are running a Chit Firm and the defacto complainant joined in their chit scheme and paid totally a sum of Rs.4,15,800/- and the petitioners repaid only a sum of Rs.48,000/- and did not repay the balance chit amount on maturity of the chit period. Hence, the complaint.

4.The learned counsel appearing for the petitioners would submit that the petitioners are innocents and they did not commit any offence as alleged by the prosecution and they have been falsely implicated in this case. He would further submit that the petitioners have not conducted any chit transaction. It is purely money transaction, which is converted as that of the chit



transaction. To show the petitioners' bonafide, the learned counsel for the petitioners assured that the petitioners would deposit Rs.1,00,000/- to the credit of Crime No.192 of 2019 before the concerned Judicial Magistrate and he prays to grant anticipatory bail to these petitioners.

5.The learned counsel for the defacto complainant submits that the defacto complainant has received Rs.1,00,000/- and remaining amount is yet to be paid.

5.The learned Government Advocate (Crl Side) appearing for the respondent opposed for granting anticipatory bail to the petitioners.

6.Taking into consideration of the facts and circumstances of the case and also considering the assurance given by the learned counsel appearing for the petitioners, this Court is inclined to grant anticipatory bail to the petitioners subject to the following conditions.

7.Accordingly, the petitioners are ordered to be released on bail on executing a bond in the event of arrest or on their appearance, for a sum of Rs.10,000/- (Rupees Ten Thousand only) with two sureties for a like sum to the satisfaction of learned Judicial Magistrate No.V, Trichy and on further conditions that:-

[a] the petitioners as well as the sureties shall submit a copy of their Aadhar card or any other identity cards issued by the Government, in proof of their address, along with the surety bonds.

[b] the petitioners shall report before the respondent police once in a week (I.e., on every Monday) at 10.30 a.m, until further orders.

[c] the petitioners shall not tamper the evidence or witness either during investigation or trial.

[d] the petitioners shall co-operate for the investigation and the trial. The petitioners shall not abscond either during investigation or trial and in event of the petitioners absconds, the respondent police shall register a case as provided under Section 229-A IPC.

[e] in the event of breach of any of the aforesaid conditions, the learned Magistrate / trial Court is entitled to take appropriate action against the petitioners, as per the principles laid down by the Hon'ble Supreme Court in **P.K.Shaji vs. State of Kerala [(2005) AIR SCW 5560]**.

8.The respondent Police is directed to complete the investigation and file a final report within a period of eight weeks from the date of receipt of copy of this order.

sd/-
15/05/2019

/ TRUE COPY /



TO

1. THE JUDICIAL MAGISTRATE NO.V,
TRICHY

2. DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
TRICHY

3. THE SUB INSPECTOR OF POLICE
GOLDEN ROCK POLICE STATION, TRICHY CITY, TRICHY

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

+1. CC to M/S.D.SADIQ RAJA, Advocate SR.No.8438

+1. CC to M/S.N.ANANDA KUMAR, Advocate SR.No.8487

ORDER

IN

CRL OP(MD) No.6774 of 2019

Date :15/05/2019

GNS/MRN

PK/PN/SAR-3/20.05.2019 : 3P/7C