



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

Thursday, the Seventh day of February Two Thousand Nineteen

PRESENT

The Hon`ble Mr.Justice M.DHANDAPANI

CRL OP(MD) No.21384 of 2018

1.AMARNATH,
2 SANGEETHA,

... PETITIONERS / ACCUSED NO.3 & 4

Vs

THE STATE REP.BY
THE INSPECTOR OF POLICE
CITY CRIME BRANCH,
TRICHY CITY,
(IN CRIME NO.20/2014)

... RESPONDENT / COMPLAINANT

For Petitioners : MR.M.JEGADEESH PANDIAN Advocate

For Respondent : MR.K.SUYAMBULINGA BHARATHI,
Government Advocate (Crl. Side)

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

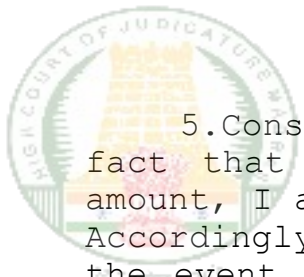
ORDER : The Court Made the following order :-

The petitioners, who apprehend arrest at the hands of the respondent Police for the offences punishable under Sections 406, 420 and 120(b) IPC in Crime No.20 of 2014 on the file of the respondent Police, seek anticipatory bail.

2.The case of the prosecution is that the petitioners and other accused persons collected a huge amount from the innocent persons for securing job at abroad and for which, Rs.6,50,000/- was transferred in favour of the petitioners. Hence, the defacto complainant gave a complaint to the respondent police.

3.The learned counsel petitioners would submit that the petitioners did not commit any offence as alleged by the prosecution and they are innocent persons. However, on instructions, he would submit that the petitioners are ready to deposit a sum of Rs.3,00,000/- within a period of two weeks.

4.Heard the learned counsel appearing for the petitioner and learned Government Advocate (Crl.side).



5.Considering the facts and circumstances of the case and the fact that the petitioners has come forward to deposit the said amount, I am 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 15 days from the date on which the order copy is made ready, before the learned Judicial Magistrate No.II, 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 conditions that:

(a)the petitioners shall deposit a sum of Rs.3,00,000/- [Rupees Three Lakhs only] to the credit of Crime No.20 of 2014 on the file of the respondent police, within a period of two weeks from the date of receipt of a copy of this order, failing which, anticipatory bail granted to the petitioners shall stand automatically cancelled.

(b)the petitioners and the sureties shall affix their photographs and left thumb impression in the surety bond and the Magistrate may obtain copies of their Aadhar cards or Bank pass Books to ensure their identity;

(c)the first petitioner shall report before the respondent police daily at 10.30 a.m., until further orders and the second petitioner 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;

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

sd/-

07/02/2019

/ TRUE COPY /



TO

1. THE JUDICIAL MAGISTRATE NO. II,
TRICHY.

2. DO THRO' THE CHIEF JUDICIAL MAGISTRATE,
TRICHY DISTRICT.

3. THE INSPECTOR OF POLICE,
CITY CRIME BRANCH, TRICHY CITY.

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

+1. CC to MR. M. JEGADEESH PANDIAN Advocate SR.No.2730

ORDER

IN

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Date : 07/02/2019

AE/JC/SAR-II/13.02.2019/3P/6C