



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

Date : 05/09/2019

PRESENT

The Hon`ble Mr.Justice G.R.SWAMINATHAN

CRL OP (MD) . No.12224 of 2019

1. Manickam
2. Kayalvizhi
3. Muthammal

... Petitioners/Accused 1 to 3

Vs

The State rep.by,
The Sub Inspector of Police,
Karaikudi North Police Station,
Sivagangai.

Cr.No.163 of 2019.

... Respondent/Complainant

For Petitioner : M/s.S.Ramakrishnan, Advocate.

For Respondent : Mr.A.Robinson, Government Advocate (Crl.Side)

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

PRAYER :-

For anticipatory bail in Cr.No.163 of 2019 on the file of the respondent police.

ORDER : The Court made the following order :-

Heard the learned counsel appearing for the petitioners and the learned Government Advocate(Crl. Side) appearing for the respondent.

2. The petitioners apprehending arrest at the hands of the respondent police for the offences punishable under sections 406, 420, 379, 294(b) and 506(1) of I.P.C., in Crime No.163 of 2019 on the file of the respondent police, seek anticipatory bail.

3. A mere reading of the complaint would indicate that the first petitioner had received a certain sum of money from the defacto complainant in the year 2016 and that he has not repaid the same. Petitioners 1 and 2 have since filed I.P.No.130 of 2019 before the Sub Court, Devakottai. The defacto complainant herein has been shown as the respondent and the petitioners admit their liability towards the defacto complainant. The First Information Report itself was registered in the month of May 2019, after the filing of the insolvency petition.



4. On the very face of it, the case against the petitioners is civil in nature and in any event it rests on documentary evidence. Therefore, the arrest of the petitioners is not necessary.

5. In view of the above, I am inclined to grant anticipatory bail to the petitioners with certain conditions. Accordingly, petitioners are ordered to be released on bail in the event of arrest or on their appearance before the learned Judicial Magistrate, Karaikudi, Sivagangai District and on their executing 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 learned Magistrate concerned and on further condition that the petitioners shall appear before the respondent police as and when required for interrogation. The petitioners shall comply with the conditions stipulated under Section 438 Cr.P.C scrupulously.

6. The petitioners shall appear before the concerned Magistrate within a period of 15 days from the date on which the order copy made ready, failing which, the petition for anticipatory bail shall stand dismissed.

sd/-
05/09/2019

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

TO

1.THE JUDICIAL MAGISTRATE, KARAUKUDI,
SIVAGANGAI DISTRICT

2.DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
SIVAGANGAI DISTRICT

3.THE SUB INSPECTOR OF POLICE
KARAUKUDI NORTH POLICE STATION, SIVAGANGAI.

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

+1. CC to M/S.S.RAMAKRISHNAN Advocate SR.No.14957

ORDER
IN
CRL OP (MD) No.12224 of 2019
Date :05/09/2019
(1/2)

PMU

PK/VR/SAR-1/10.09.2019 : 2P/6C

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