

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)
Date : 12/09/2019

PRESENT

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

CRL OP(MD). No.12520 of 2019

Gopal

... Petitioner/Accused No.2

Vs

The State rep.by
The Inspector of Police,
Soolakarai Police Station,
Virudhungar District
Crime No. 260/2019

... Respondent/Complainant

N.Aanandavel

...Petitioner/Intervener/
Defacto Complainant
IN CRL MP(MD)No.7857 of 2019 in
CRL OP(MD)No.12520 of 2019

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

PRAYER :-

For Anticipatory bail in Crime No.260 /2019 on the file of the
respondent police .

For Petitioner : Mr.R.Vijayakumar,Advocate.

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

For Intervenor : Mr.Veerakathiravan,Senior counsel,
for Mr.G.Mariappan.

ORDER : The Court made the following order :-

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

2. The petitioner apprehending arrest at the hands of the
respondent police for the offences punishable under sections 406,
408, 420, 465, 467, 468 and 471 of I.P.C. in Crime No.260 of 2019 on
the file of the respondent police, seeks anticipatory bail.

3. The petitioner was the treasurer of K.V.S. Matriculation
Higher Secondary School Managing Trust. The petitioner is said to
have siphoned off a huge sum of money. Hence, Crime No.260 of 2019

4. The learned counsel appearing for the intervenor submitted that if the petitioner deposits a sum of Rs.30,00,000/- (Rupees Thirty Lakhs only) to the credit of Crime No.260 of 2019 before the learned Judicial Magistrate No.2, Virudhunagar, he would not have any objection for granting anticipatory bail to the petitioner.

5. The petitioner's counsel seeks two weeks time to comply with the condition. On such deposit, an application for withdrawal can be taken out by the defacto complainant and it will be decided on its own merits. This Court has not expressed any opinion on the merits of the proposed application.

6. Subject to this condition, I am inclined to grant anticipatory bail to the petitioner with certain conditions. Accordingly, petitioner is ordered to be released on bail in the event of arrest or on his appearance before the learned Judicial Magistrate No.II, Virudhunagar, and on his executing 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 learned Magistrate concerned and on further condition that the petitioner shall appear before the respondent police as and when required for interrogation. The petitioner shall comply with the conditions stipulated under Section 438 Cr.P.C scrupulously.

7. The petitioner 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.

8. In the event of non-compliance of the condition now imposed in this order, the Criminal Original petition stands dismissed automatically. The Criminal Original petition stands allowed, on these terms.

sd/-

12/09/2019

/ TRUE COPY /

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

TO

1.THE JUDICIAL MAGISTRATE NO II,VIRUDHUNAGAR.

2.THE CHIEF JUDICIAL MAGISTRATE,
VIRUDHUNAGAR DISTRICT AT SRIVILLIPUTHUR.

3.THE INSPECTOR OF POLICE,
SOOLAKARAI POLICE STATION,

Virudhunagar District.

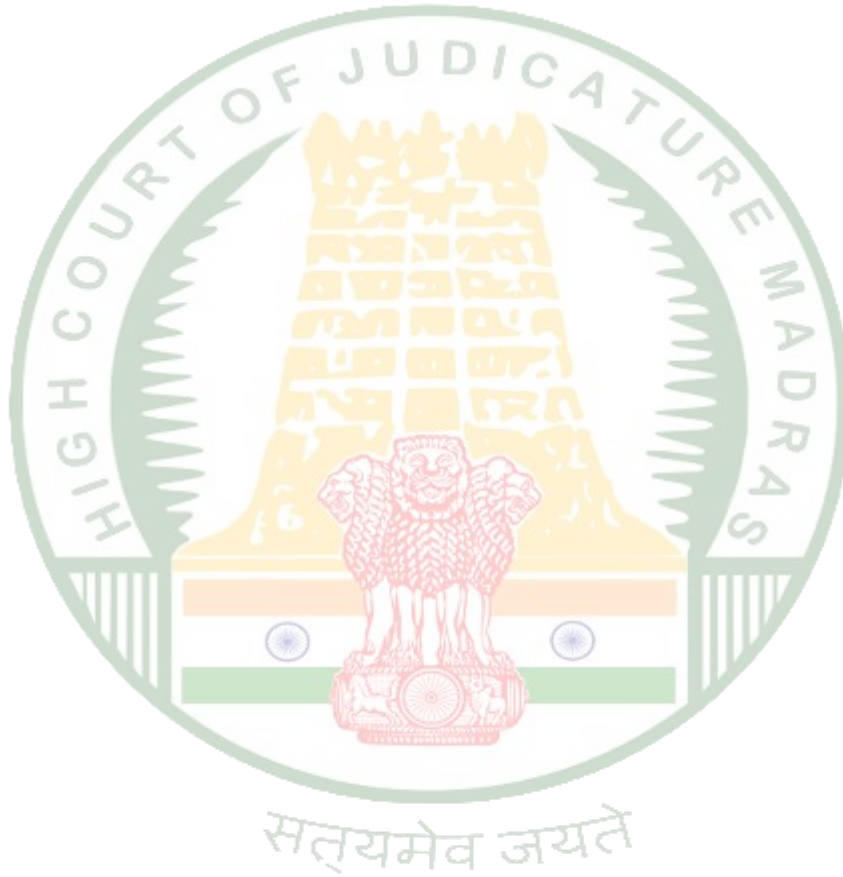
<https://hcservices.mca.gov.in>

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

+1. CC to Mr.R.VIJAYAKUMAR Advocate SR.No.15306
+1. CC to Mr.G.MARIAPPAN Advocate SR.No.15286

ORDER
IN
CRL OP(MD) No.12520 of 2019
Date :12/09/2019

TK/SKN/SAR.2/16.09.2019/3P/7C



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