



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

Date : 10/01/2020

PRESENT

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

WEB COPY

CRL OP(MD). No.365 of 2020

1. L.Jai Shankar,
2. J.Manimegalai, ... Petitioners/Accused No.1 and 2
Vs

The State Rep.by
The Inspector of Police,
Othakadai Police Station,
Madurai District.
(Crime No.392 of 2019).

... Respondent/Respondents

For Petitioners : M/s.R.Anand, Advocate.

For Respondent : Mr.K.K.Ramakrishnan,
Additional Public Prosecutor

For Intervenor : Mr.S.M.A.Jinnah, Advocate

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

PRAYER :-

For Anticipatory Bail in Crime No. 392/2019 on the file of the Respondent Police.

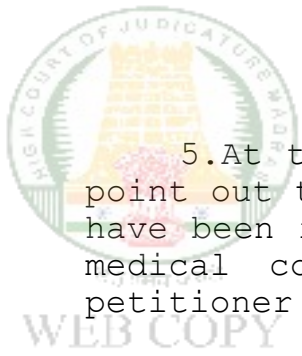
ORDER : The Court made the following order :-

Heard the learned counsel appearing for the petitioners, the learned counsel appearing for the intervenor as well as the learned Additional Public Prosecutor appearing for the respondent.

2.The petitioners apprehending arrest at the hands of the respondent police for the offences punishable under sections 406, 420, 294(b) and 506(I) of I.P.C., in Crime No.392 of 2019, on the file of the respondent police, seek anticipatory bail.

3.The intervenor's counsel would point out that that complainant pledged her jewels at State Bank of India, Otthakadai Branch and raised a loan and paid a sum of Rs.10,00,000/- to the accused.

4.The petitioners' counsel on the other hand would contend that what was paid was not Rs.10,00,000/-, but only a sum of Rs.7,00,000/- and even out of Rs.7,00,000/-, a sum of Rs.70,000/- was taken by one Ilayaraja.



5.At this stage, the learned Additional Public Prosecutor would point out that against the petitioners herein, as many as four cases have been registered. Two cases pertain to securing admission in a medical college and one case pertains to job racketing. The petitioner appears to having a bad history.

6.However, I am of the view that the allegations are primarily against the first petitioner and the second petitioner, who is his wife has been roped in. Therefore, I am inclined to grant anticipatory bail to the second petitioner.

7.I expressed my clear intention to dismiss the anticipatory bail as regards the first petitioner. At this stage, the petitioners' counsel states that he would take a demand draft for a sum of Rs.6,00,000/- and pay the same directly to the de-facto complainant within a period of four months. I am consciously refraining from going into the quantum of liability. I only grant anticipatory bail by recording the undertaking of the first petitioner that he would pay a sum of Rs.6,00,000/- within a period of four months directly to the de-facto complainant by take a demand draft in favour of the de-complainant.

8.In the view of the above, I am inclined to grant anticipatory bail to the petitioners with certain conditions. Accordingly, the petitioners are ordered to be released on bail in the event of arrest or on their appearance before the learned Judicial Magistrate, Melur, Madurai 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 petitioner 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.

9.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/-
10/01/2020

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/ /2020
Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.



TO

1 THE JUDICIAL MAGISTRATE
MELUR, MADURAI DISTRICT

2 DO-THROUGH : THE CHIEF JUDICIAL MAGISTRATE,
MADURAI DISTRICT.

3 THE INSPECTOR OF POLICE
OTHAKADAI POLICE STATION, MADURAI DISTRICT.

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

+1 CC to M/s.R.ANAND, Advocate (SR-777[I] dated 10/01/2020)

+1 CC to M/s.S.M.A.JINNAH, Advocate (SR-831[I] dated 13/01/2020)

ORDER

IN

CRL OP(MD) No.365 of 2020

Date :10/01/2020

SJI

ES/VR/SAR 2/22.01.2020/3P/7C