



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 24/02/2020

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PRESENT

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

CRL OP(MD). Nos.2926 and 3018 of 2020

CRL OP(MD). No.2926 of 2020:

1.N.Ganesan
2.Kalaiselvi

... Petitioners/Accused No.
4 and 2

Vs

1.The Assistant Commissioner Of Police,
Law and Order, Ponmalai,
Tiruchirappalli.

2.The Inspector of Police,
Ariyamangalam Police Station,
Ariyamangalam, Tiruchirappalli-10
Crime No.47/2020.

... Respondents/Complainants

For Petitioners : M/s.B.Janath Ahmed@b.Janarth Kumar
Advocate.

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

For Intervener : Mr.M.Siddharathan, Advocate.

CRL OP(MD). No.3018 of 2020:-

Duraipandiyan

... Petitioner/Accused No.1

Vs

The State rep.by
The Inspector of Police,
Ariyamangalam Police Station,
Ariyamangalam, Tiruchirappalli-10.
Crime No.47/2020.

... Respondent/Complainant



For Petitioner : M/s.K.P.Krishnadoss,
Advocate.

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

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For Intervener : Mr.M.Siddharathan, Advocate

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

COMMON PRAYER :-

for Anticipatory bail in Crime No.47 of 2020 on the file of the
respondent police

COMMON 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 under sections 294(b), 420 and
506(i) of I.P.C., in Crime No.47 of 2020 on the file of the
respondent police, seek anticipatory bail.

3. Both the sides filed typed set of papers. I went through
the same. It is obvious that there has been financial transaction
between the defacto complainant and A1. The defacto complainant
would claim that he had paid a huge sum by way of loan and he did
not get back anything. On the other hand the petitioners' counsel
would claim that the defacto complainant has been charging
exorbitant interest and that they had sofar more than repaid the
principal amount. The materials available on record are not
sufficient to come to any definite conclusion.

4. Be that as it may, the case against the accused rests on
documentary evidence. Therefore, the arrest of the petitioners is
not necessary. Hence, 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
No.VI, Trichy, 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.



5. 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.

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24/02/2020

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

TO

1. THE JUDICIAL MAGISTRATE NO.VI,
TRICHY.
 2. DO-THROUGH : THE CHIEF JUDICIAL MAGISTRATE,
TRICHY DISTRICT.
 3. THE ASSISTANT COMMISSIONER OF POLICE,
LAW AND ORDER, PONMALAI,
TIRUCHIRAPPALLI.
 4. THE INSPECTOR OF POLICE,
ARIYAMANGALAM POLICE STATION,
ARIYAMANGALAM, TIRUCHIRAPPALLI-10
 5. THE ADDITIONAL PUBLIC PROSECUTOR
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.
- +1. CC to M/S.B.JANATH AHMED@B.JANARTH KUMAR Advocate SR.No.3921
+1. C.C. to Mr.K.P.KRISHNADOSS Advocate SR.No.3862
+1. C.C. to Mr.M.SIDDARTHAN Advocate SR.No.4003

ORDER
IN
CRL OP(MD). Nos.2926 and
3018 of 2020
Date :24/02/2020

IAS
TK/PN/SAR.4/28.02.2020/3P/10C