



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 18/06/2020

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PRESENT

The Hon'ble Mr.Justice **M.DHANDAPANI**

CRL OP(MD) . No.4745 of 2020

1.AYYANAR
2.KUMAR
3.SENTHILKUMAR

... PETITIONERS/ACCUSED
RANK NOT KNOWN

VS

THE STATE REP. BY
THE INSPECTOR OF POLICE,
DISTRICT CRIME BRANCH,
MADURAI DISTRICT.
CRIME NO.62 OF 2015.

... RESPONDENT/COMPLAINANT

For Petitioners : M/s.C.Thiruppathy
Advocate.

For Respondent : Mr.K.Suyambulinga Bharathi,
Government Advocate (Crl.Side)

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

PRAYER :-

To enlarge the petitioners on Anticipatory Bail in the event of their arrest in connection with Cr.No.62 of 2015 on the file of the respondent police and pass such other orders as this Honourable Court.

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, 468, 417, 120(B) of I.P.C., in Crime No.62 of 2015 on the file of the respondent police, seek anticipatory bail.



3.The case of the prosecution is that the Chief Manager of the Bank in question, on surprise visit found the amount was swindled by the accused persons by fabricating the documents and the amount was not tallied with the accounts maintained by the said bank. Hence, the complaint.

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4.The learned counsel for the petitioners would submit that the petitioners are innocent persons and they have not committed any offence as alleged by the prosecution. Hence, he prays for anticipatory bail to the petitioners. Further, the learned counsel, on instructions from the petitioners, would submit that without any prejudice to his rights, the first petitioner is ready to deposit a sum of Rs.3,12,658/- and the second petitioner is ready to deposit a sum of Rs.1,62,695/- and the third petitioner is ready to deposit a sum of Rs.1,62,596/- to the credit of the bank.

5. The learned Government Advocate (crl.side) appearing for the respondent State, on instructions, would submit that on surprise visit, the Chief Manager of the Bank found the amount was swindled by the accused persons by fabricating the documents and further the amount was not tallied with the accounts maintained by the said bank. He would further submit that the investigation is in progress.

6. Considering the facts and circumstances of the case and considering the fact that the petitioners are ready to deposit a sum of Rs.3,12,658/-, Rs.1,62,695/- and Rs.1,62,596/- respectively without prejudice their rights and contentions, I am inclined to grant anticipatory bail to the petitioners with certain conditions.

(i) 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.I, Madurai and on their 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;

(ii) The first petitioner is directed to deposit a sum of Rs.3,12,658/-, the second petitioner is directed to deposit a sum of Rs.1,62,695/- and the third petitioner is directed to deposit a sum of Rs. 1,62,596/- by way of demand draft in favour of the bank and produce the receipts before the Court below within a period of two weeks from the date of receipt of a copy of this order;

(ii) The petitioners shall appear before the respondent police daily at 10.00 a.m for a period of two weeks and thereafter, as and when required, for the purpose of interrogation.

(iii) 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 themselves as laid down by the Hon'ble Supreme Court in **P.K.Shaji Vs. State of Kerala [(2005) AIR**



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

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

8. The petitioners shall comply with the conditions stipulated under Section 438 Cr.P.C scrupulously.

sd/-
18/06/2020

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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.I,
MADURAI.
- 2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
MADURAI.
- 3 THE INSPECTOR OF POLICE
DISTRICT CRIME BRANCH,
MADURAI DISTRICT.
- 4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

ORDER
IN
CRL OP(MD) No.4745 of 2020
Date :18/06/2020

skn
JM/RSK/SAR 2/24.06.2020/3P/5C