



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 26/05/2020

PRESENT

The Hon`ble Dr.Justice G.JAYACHANDRAN

CRL OP(MD) . No.5455 of 2020

1.KRISHNAN,
S/O.PERUMAL
2.KRISHNAN,
S/O.KARUPPANAN
3.GURUSAMY

... PETITIONERS/ACCUSED NOS.1 TO 3

VS

STATE REP. BY
THE INSPECTOR OF POLICE,
DISTRICT CRIME BRANCH,
RAMANATHAPURAM.
(CRIME.NO.7 OF 2020) .

... RESPONDENT/COMPLAINANT

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

For Respondent : Mr.S.Chandarasekar,
Additional Public Prosecutor

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

PRAYER :-

For Anticipatory Bail in Crime.No.7 of 2020 on the file of the Respondent police.

ORDER : The Court made the following order :-

The petitioners apprehending arrest at the hands of the respondent police for the offences punishable under sections 465, 468, 471, 408, 420 and 120-B of I.P.C., in Crime No.7 of 2020, on the file of the respondent police, seek anticipatory bail.

2.The complaint has been registered against this petitioner while they were functioning as the trustee members,
<https://hccservices.courts.gov.in/hccservices/>



they have falsified the documents and misappropriated the trust money and further they have not properly convened the meeting of the trust board.

3. On the face of the complaint, it appears to be a civil dispute in nature and in any event, if there is any criminality is made out, that can be introgated by the respondent police without apprehending the petitioner. Hence, this Court is inclined to grant anticipatory bail to the petitioners with certain conditions.

5. Accordingly the petitioners are ordered to be released on bail in the event of arrest by respondent police on executing a own bond for a sum of Rs.25,000/- each and further the petitioners shall produce two sureties each for a sum of Rs.25,000/- (Rupees Twenty Five Thousand only) before the learned Judicial Magistrate No.II, Ramanathapuram, within one month and on further condition that:

(i) the petitioners and sureties shall affix their photographs and left thumb impression in the surety bond and the Magistrate may obtain a copy of their Aadhar card or Bank pass Book to ensure their identity;

ii) the petitioners shall report before the respondent police as and when required for interrogation;

iii) the petitioners shall not tamper with evidence or witness.

iv) the petitioners shall not abscond during trial.

v) 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 himself as laid down by the Hon'ble Supreme Court in P.K.Shaji vs. State of Kerala [(2005)AIR SCW 5560].

vi) If the accused thereafter absconds, a fresh FIR can be registered under Section 229A IPC.

sd/-

26/05/2020

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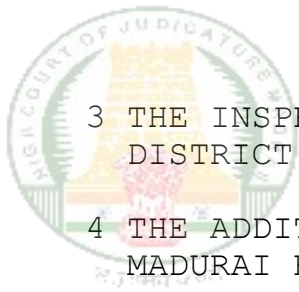
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Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

TO

1 THE JUDICIAL MAGISTRATE NO.II,
RAMANATHAPURAM.

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



3 THE INSPECTOR OF POLICE
DISTRICT CRIME BRANCH, RAMANATHAPURAM.

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

WEB COPY

ORDER

IN

CRL OP(MD) No.5455 of 2020

Date :26/05/2020

SJI

JM/PN/SAR 3/27.05.2020/3P/5C