



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

Date : 27/01/2020

PRESENT

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

CRL OP(MD). No.18665 of 2019

WEB COPY

1. M.Immanuel Prasad

2. Derlin

3. Jamesraj Jacob

... Petitioners/Accused Rank not known

Vs

The Inspector of Police,
District Crime Branch Police Station,
Tirunelveli, Tirunelveli District
Cr No.41 of 2019.

... Respondent/Complainant

K.Rajiv

... Petitioner/Intervener

For Petitioners : M/s.M.M.Manivel Pandian,
Advocate.

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

For Intervener Mr.S.Sundarapandian

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

PRAYER :-

For Anticipatory Bail in Crime No.41 of 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 intervener 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, 406 and 506(i) of I.P.C., in Crime No.41 of 2019 on the file of the respondent police, seek anticipatory bail.

3. The learned counsel appearing for the intervener would point out that he entered into a construction agreement with the petitioners herein. He had raised a loan and so far paid a sum of Rs.74,98,000/-. The total consideration appears to be around Rs.93,33,000/-. The petitioners do not admit the payment as projected by the intervener. There is also difference of opinion with regard to the percentage of the construction and its valuation.



4. I am of the view that even though the intervener appears to have suffered substantial injury, the arrest of the petitioners is not going to advance of the cause of investigation. 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.I, Tirunelveli, 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 daily at 10.30 a.m. for a period of 10 days and thereafter 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.

sd/-
27/01/2020

/ TRUE COPY /

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

TO

1 THE JUDICIAL MAGISTRATE NO.I
TIRUNELVELI

2 THE CHIEF JUDICIAL MAGISTRATE,
TIRUNELVELI DISTRICT.

3 THE INSPECTOR OF POLICE
DISTRICT CRIME BRANCH POLICE STATION,
TIRUNELVELI DISTRICT

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

+1. CC to MR.M.M.MANIVEL PANDIAN Advocate SR.No.1511

+1.CC. To MR.A.SARAVANAN, Advocate in SR No.1725

ORDER
IN
CRL OP(MD) No.18665 of 2019
Date :27/01/2020