



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

Date : 28/01/2022

PRESENT

The Hon'ble Mrs.Justice R.THARANI

CRL OP(MD). No.1578 of 2022

1. Gnaselvi @ Selvi
2. Balakumar
3. Ramesh

... Petitioners/Accused No.1,2&4

Vs

The State Rep. By,
The Inspector of Police,
District Crime Branch,
Madurai District.
(Crime No. 34 of 2021).

... Respondent/Complainant

For Petitioner : M/s. Sugadev.T, Advocate.
For Respondent : Mr.S.Manikandan,
Government Advocate (Crl.Side)
For Intervenor : Mr.Karunanithi, Advocate

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

PRAYER :-

For Anticipatory Bail in Crime No.34 of 2021 on the file of the respondent Police.

ORDER : The Court made the following order :-

The petitioners/Accused No.1, 2 and 4, apprehending arrest at the hands of the respondent police for the alleged offence punishable under Sections 294(b), 406, 420 and 506(i) of IPC, in Crime No.34 of 2021 on the file of the respondent police, seek anticipatory bail.

2.The case against the petitioners is that the first petitioner and others obtained loan of Rs.11,70,000/- from the defacto complainant and failed to repay the same. Hence, a case in Crime No.34 of 2021 was registered against the accused persons.

3.On the side of the petitioner it is stated that the defacto complainant was introduced to the first petitioner by A5. The petitioner is innocent and not involved in any offence and prayed the petitioner to be released on anticipatory bail. The petitioner undertook to deposit 50 % of the amount involved in the offence and prayed the petitioner to be released on anticipatory bail.



4. Advocate Mr. Karunanithi appearing for the intervenor insists some deposit in case of releasing the petitioners on anticipatory bail.

5. On the side of the respondent it is stated that the amount involved is Rs.11,70,000/- (Rupees Eleven Lakhs Seventy Thousand) and prayed the petition to be dismissed.

6. Considering the submissions made by the parties, this Court is inclined to grant anticipatory bail to the petitioners on certain conditions.

7. Accordingly, this Criminal Original Petition is allowed on condition that the petitioners shall deposit a sum of Rs.5,85,000/- (Rupees Five Lakhs Eighty Five Thousand) before the trial Court. On such deposit being made, the trial Court shall keep the same as FD in a Nationalized Bank. On such deposit, 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, on condition that the petitioners shall execute 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 the petitioners shall appear before the respondent police daily at 10.30 a.m. until further orders. The petitioners shall comply with the condition stipulated under Section 438 Cr.P.C. scrupulously.

7. 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 stands dismissed.

sd/-
28/01/2022

/ TRUE COPY /

/ /2022
Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

Note : In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant concerned.

TO

1. THE JUDICIAL MAGISTRATE NO.I,
MADURAI.

<https://hcservices.ecourts.gov.in/hcservices/>



2. DO-THROUGH : THE CHIEF JUDICIAL MAGISTRATE,
MADURAI DISTRICT.
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.1578 of 2022
Date :28/01/2022

USK/PN/SAR-I/04.02.2022/3P/5C