



WEB COPY



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Dated: 01/09/2022

PRESENT

The Hon'ble Mr.Justice G.ILANGOVAN

Cr1.OP (MD) No.11098 of 2022

1.M.Vinoth
2.V.Mahalakshmi
3.A.Abdul Kadhar

... Petitioners/Accused No.1 to 3

Vs.

1.The State rep. By
The Inspector of Police,
District Crime Branch,
Thanjavur District.
(Crime No.17 of 2022)

... 1st Respondent/Complainant

(*) 2.J.Ibrahim Jayinulabdeen

... 2nd Respondent/Defacto
Complainant

(*) (R2 Suo Motu impleaded as per
order of this Hon'ble Court dated
22.06.2022 in Cr1.O.P. (MD) No.
11098/2022 by GIJ)

For Petitioners : Mr.M.Karunanithi, Advocate

For 1st Respondent : Mr.P.Kottai Chamy
Government Advocate (Criminal side)

For 2nd Respondent : Mr.J.Sulthan Basha
for Mr.C.Gangai Amaran, Advocate

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

PRAYER:-

For Anticipatory Bail in Crime No.17 of 2022 on the file of the
Respondent Police.



ORDER : The Court made the following order:-

The petitioners, who are arrayed as A1 to A3 apprehending arrest at the hands of the respondent police for the offences punishable under sections 120(B), 406, 467, 468, 471 and 420 IPC, in Crime No.17 of 2022 on the file of the respondent police, seek anticipatory bail.

2.The petitioners are facing the charges for the offences under sections 120(B), 406, 467, 468, 471 and 420 IPC.

3.When the matter was taken up for hearing, the learned counsel appearing for the petitioners has submit that the petitioners are ready to deposit Rs.20,00,000/- towards the transaction amount to show their *bona fideness*. The de-facto complainant was also present before this court, on the earlier occasion, along with her counsel. She has stated that she is not ready to accept the above said amount of Rs.20,00,000/-.

4.Now the learned counsel appearing for the de-facto complainant would submit that even before Enquiry Officer, there was an undertaking given by the petitioners that they are ready to return Rs.62,00,000/-. According to him, that amount must be ordered to be deposited.

5.But however, it is seen that a portion of the above said amount has been paid. Out of the above said Rs.62,00,000/-, Rs.11,00,000/- was already paid by the accused persons and the remaining amount is to be paid.

6.Considering the above facts and circumstances of the case, there shall be a direction to the petitioners to deposit a sum of Rs.51,00,000/- to the credit of the Crime No.17 of 2022 before the concerned trial court.

7.With the above condition, this court is inclined **to grant anticipatory bail** to the petitioners. 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.2. Thanjavur and on each of them 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 and on further condition that the petitioners shall deposit a sum of Rs.51,00,000/- to the credit of the Crime No.17 of 2022 on the file of the Judicial Magistrate No.II, Thanjavur at the time of furnishing the surety and on further condition that the petitioners shall appear before the respondent police daily at 10.30 am until further orders. The petitioners shall comply with the condition stipulated under Section 438 Cr.P.C. scrupulously. The petitioners shall appear before the concerned Magistrate within a period of 15



days from the date on which the order copy made ready, during which, the petition for anticipatory bail will stand dismissed.

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Sd/-
01/09/2022

/09/2022

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

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TO

1. THE JUDICIAL MAGISTRATE NO.II,
THANJAVUR.
2. -DO- THROUGH
THE CHIEF JUDICIAL MAGISTRATE,
THANJVUR DISTRICT AT KUMBAKONAM.
3. THE INSPECTOR OF POLICE,
DISTRICT CRIME BRANCH,
THANJAVUR DISTRICT.
4. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1. CC to M/S.KARUNANITHI M Advocate SR.No.9538

+1. CC to M/S.C.GANGAI AMARAN Advocate SR.No.9531

ORDER
IN
CRL OP(MD) No.11098 of 2022
Date :01/09/2022

SP/SVR/SAR I/15/09/2022/3P/7C