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

Date : 26/07/2023

PRESENT

The Hon`ble Mr.Justice G.ILANGO VAN

CRL OP(MD). No.13617 of 2023

Sathish Kumar

... Petitioner/ Accused No.3

Vs

The State, represented by
The Inspector of Police,
CCB Police Station,
Tiruchirappalli City.
(Crime No.5 of 2023).

... Respondent/Complainant

For Petitioner : Mr.C.Mayilvahana Rajendran
Advocate.

For Respondent : Mr.B.Nambiselvan
Additional Public Prosecutor

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

PRAYER :-

For Anticipatory Bail in Crime No.5 of 2023 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioner/Accused No.3, apprehending arrest at the hands of the respondent police for the alleged offence punishable under Sections 417, 420, 463, 465, 468 and 471 of I.P.C, in Crime No.5 of 2023 on the file of the respondent police, seeks anticipatory bail.



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2. On the basis of the complaint given by the defacto complainant, this case has been registered, alleging that one Krishnamoorthy and his wife Suganya and the late Narayanasamy came to the house of the defacto complainant and demanded Rs.50,00,000/-, since they needed it for their investment in the real estate business by promising that they will return the same within three months. Further, the defacto complainant received a sum of Rs.31,00,000/- from one Periyasamy and another Rs.10,00,000/- from one Vasugi and others, totally Rs.41,00,000/- paid to the above said Krishnamoorthy, Suganya and Narayanasamy. The petitioner is the Manager of the above said office, which is run by the above said persons and is issued several receipts for the sum of Rs.41,00,000/- mentioning different dates starting from 19.12.2019 to 31.01.2020 and subsequently, they did not return the amount. Hence, the complaint.

3. The learned counsel for the petitioner would submit that the petitioner is working as a Manager only and he only issued receipts for the borrowed credit by the owner of the Real Estate as directed by the owner. Further, he is an innocent person.

4. The learned Additional Public Prosecutor appearing for the respondent Police submitted that the petitioner has signed in the receipts which were issued to the victims and Rs.1,50,00,000/- has been cheated to the victims.

5. Considering the fact that the petitioner is only the Manager in office of the

Directors namely accused Nos.1 and 2 are the responsible person for the above said



company and considering that the limited role played by the petitioner, this Court is inclined to grant anticipatory bail to the petitioner.

6. Accordingly, this Criminal Original Petition is allowed and petitioner is ordered to be released on bail in the event of arrest or on his appearance, before the learned Judicial Magistrate No.I, Trichy, on condition that the petitioner shall execute 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 the petitioner shall appear before the respondent police daily at 10.30 a.m. until further orders. The petitioner 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/-
26/07/2023

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/08/2023

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

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TO



2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
TRICHY DISTRICT.

3 THE INSPECTOR OF POLICE
CCB POLICE STATION,
TIRUCHIRAPPALLI CITY

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

+1 CC to M/s.C.MAYIL VAHANA RAJENDRAN, Advocate (SR-11396[I] dated
27/07/2023)

ORDER
IN
CRL OP(MD) No.13617 of 2023
Date :26/07/2023

SS/MMS/02/08/2023/4P/6C

Madurai Bench of Madras High Court is issuing certified copies in this format from 17/07/2023