



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

Friday, the Twenty Ninth day of November Two Thousand Thirteen

PRESENT

THE HON`BLE MR.JUSTICE C.T.SELVAM

CRL OP(MD) No.20835 of 2013

1 R.ILANKOVAN
2 N.BHUVANESWARI
3 A.R.RAJARATHINAM
4 K.S.SENTHILKUMAR
5 R.RAJASEKAR

... PETITIONERS/ACCUSED NOS.1 TO 5

Vs

THE STATE REP.BY
THE INSPECTOR OF POLICE
CITY CRIME BRANCH (MADURAI CITY),
MADURAI,
CR.NO.99 OF 2013

... RESPONDENT/RESPONDENT

FOR PETITIONER : M/S.T.ANTONY ARUL RAJ ADVOCATE
FOR RESPONDENT : MRS. S.PRABHA GOVERNMENT ADVOCATE (CRL.SIDE)

PETITION FOR ANTICIPATORY BAIL UNDER SEC. 438 CR.P.C.

ORDER : THE COURT MADE THE FOLLOWING ORDER :-

The petitioners, who are arrayed as accused 1 to 5, pray for the grant of anticipatory bail under Section 438 of Cr.P.C. for offences punishable under Sections 406, 409, 420 IPC r/w. 120(b) IPC in Crime No.99 of 2013 on the file of the respondent police.

2.The case of the prosecution is that the petitioners construction company has constructed the fourth floor without getting consent from the flat owners 33 flats out of 40 flats as against the plan approval earlier granted.

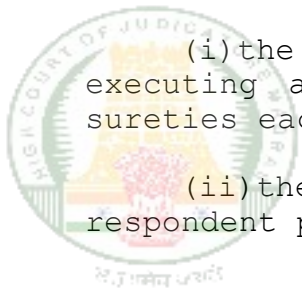
3. Learned counsel for the petitioners submits that as per the revised plan approval the fourth floor was constructed and they have not committed any offence as alleged by the prosecution.

4. Heard the learned Government Advocate (Crl. Side).

5. On consideration of the facts and circumstances of the case, this Court is of the view that the petitioners can be granted the relief prayed for and accordingly;

(a) In the event of arrest by or on appearance before the respondent police;

(b) In the event of appearance before the learned Judicial Magistrate No.I, Madurai within 15 days from the date of receipt of copy of the



(i) the petitioners shall be enlarged on bail on each of them executing a bond for Rs.10,000/- (Rupees ten thousand only) with two sureties each for the like sum to their satisfaction;

(ii) the petitioners shall be available for interrogation by the respondent police as and when required.

sd/-
29/11/2013

/ TRUE COPY /

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

TO

1. THE JUDICIAL MAGISTRATE NO.I, MADURAI.
 2. THE CHIEF JUDICIAL MAGISTRATE, MADURAI.
 3. THE INSPECTOR OF POLICE, CITY CRIME BRANCH (MADURAI CITY), MADURAI,
 4. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.
- +1. CC to M/S.T.ANTONY ARUL RAJ Advocate SR.No.59377.

ORDER
IN
CRL OP(MD) No.20835 of 2013
Date :29/11/2013

2P/6C
RPB 18.12.2013