

Cr1.OP.No.31593 of 2014

SNJ

The petitioner apprehends arrest at the hands of the respondent police in connection with the case in Crime No.1484 of 2014 for offence under Section 420 of IPC. He has come up with this petition seeking anticipatory bail.

2. I have heard the learned counsel appearing for the petitioner and the learned Additional Public Prosecutor appearing for the respondent.

3. The case of the prosecution is that under the guise of producing a film the petitioner received a sum of Rs.60,000/- from the defacto complainant. But later on returned only Rs.5,000/- and the remaining Rs.55,000/- has not been repaid.

4. The learned counsel appearing for the petitioner would submit that even assuming that these allegations are true, it only makes out a civil dispute and does not make out any offence more particularly an offence under Section 420 of IPC.

5. I have considered the above submissions.

6. Prima facie, I am satisfied that the transaction is purely civil in nature and there is no material to show that there is an element of deception at the very inception when the sum of Rs.60,000/- was received by the petitioner. Hence, I am of the view that the petitioner is entitled for anticipatory bail, however, on conditions.

7. Accordingly, the criminal original petition is allowed and the petitioner is ordered to be released on bail in the event of arrest or on his appearance before the investigating officer or before the concerned Magistrate, on 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 investigating officer or to the officer who intends to arrest or to the satisfaction of the learned VII Metropolitan Magistrate, George Town, Chennai and on further condition that he shall appear before the respondent police daily at 10.30 a.m., for a period of four weeks and thereafter, as and when required for interrogation.

04/12/2014

kk/cs