



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

Tuesday, the Seventh day of July Two Thousand Fifteen

PRESENT

The Hon`ble Mr Justice K.KALYANASUNDARAM

CRL OP(MD) No.10162 of 2015

WEB COPY

S.RAMAR

... PETITIONER / SOLE ACCUSED

Vs

STATE REP BY:: THE INSPECTOR OF POLICE
K.K.NAGAR POLICE STATION, TRICHY, TRICHY
DIST. (CRIME NO. 949/2012)

... RESPONDENT / COMPLAINANT

For Petitioner : M/S.S.C.HEROLD SINGH Advocate

For Respondent : Mr.K.V.RAJARAJAN, Government Advocate(Crl.Side)

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

ORDER : The Court Made the following order :-

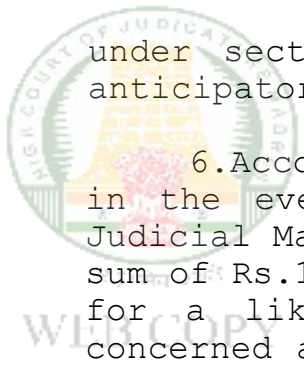
The petitioner, who is arrayed as sole accused apprehends arrest at the hands of the respondent police for the alleged offences punishable under sections 420, 408, 409 of IPC, in Crime No.949 of 2012 on the file of the respondent police and hence, seeks anticipatory bail.

2.The case of the prosecution is that the accused had purchased construction materials from the de-facto complainant to the tune of Rs.10,03,535/-, but failed to pay the amount and thereby cheated the de-facto complainant.

3.The learned counsel for the petitioner submitted that the petitioner is an innocent person and he has not committed any offence as alleged by the prosecution. He further submitted that the petitioner is a Railway sub-contractor, while the de-facto complainant is the main contractor and abruptly, the de-facto complainant has cancelled the sub-contract and filed this false complaint against the petitioner. It is further submitted that this case was registered as per the order of learned Judicial Magistrate No.2, Trichy under section 156(3) of Cr.P.C.

4.The learned Government Advocate (Criminal side) submitted that the accused had purchased materials from the de-facto complainant with a view to defraud and cheated the de-facto complainant and he did not pay the amount.

5.Considering the facts and circumstances of the case and also considering the fact that the case was registered in the year 2012 based on the order of the learned Judicial Magistrate No.2, Trichy



under section 156(3) of Cr.P.C, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions.

6. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on his appearance before the learned Judicial Magistrate No.II, Trichy and on his 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 petitioner shall appear before the respondent police daily at 10.00 a.m. for a period of two weeks and thereafter as and when required for interrogation. The petitioner shall comply with the condition stipulated under Section 438 Cr.P.C. scrupulously.

7. The petitioner 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/-
07/07/2015

/ TRUE COPY /

Sub-Assistant Registrar (C.S.)

TO

1 THE JUDICIAL MAGISTRATE NO.II,
TIRUCHY

2 THE CHIEF JUDICIAL MAGISTRATE,
TIRUCHY

3 THE ADDL.PUBLIC PROSECUTOR
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

4 THE INSPECTOR OF POLICE
K.K.NAGAR POLICE STATION, TRICHY, TRICHY DIST.

1. CC to M/S.S.C.HEROLD SINGH Advocate SR.No.36946

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ORDER
IN
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Date :07/07/2015