



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

Monday, the Second day of November Two Thousand Fifteen

PRESENT

THE HON`BLE MS.JUSTICE V.M.VELUMANI

CRL OP(MD) No.11750 & 11997 of 2015

1 A.KADER OLI BATCHA
2 ABUTAHAR

... PETITIONERS/ACCUSED Nos.2 & 3
(IN CRL.OP.NO.11750/2015)

N.SAMSUDEEN

... PETITIONER/ACCUSED No.1
(IN CRL.OP.NO.11997/2015)

Vs

STATE REP BY

THE INSPECTOR OF POLICE
DISTRICT CRIME BRANCH, THABNJAVUR,
THANJAVUR DISTRICT.

... RESPONDENT/COMPLAINANT
(IN CRL.OP.NO.11750/2015)

STATE REP BY

THE DEPUTY SUPERINTENDENT
OF POLICE, DISTRICT CRIME BRANCH,
THANJAVUR,
IN CR.NO.48 OF 2014,
THANJAVUR DISTRICT

... RESPONDENT/COMPLAINANT
(IN CRL.OP.NO.11997/2015)

P.LIYAKATH ALI

... INTERVENOR (IN CRL.OP.NO.11750/2015)

For Petitioner : M/S.M.SOLAISAMY Advocate (IN CRL.OP.NO.11750/2015)
M/S.S.SANKAR Advocate
(IN CRL.OP.NO.11997/2015)

For Respondent : MR.K.ANBARASAN Govt. Advocate (Crl. Side)

For Intervenor : M/S.HAJA MOHIDEEN Advocate (in CRL.OP.NO.11750/2015)

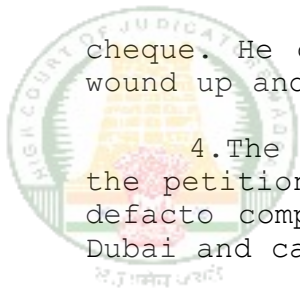
PETITION FOR ANTICIPATORY BAIL Under Sec. 438 Cr.P.C.

ORDER : The Court Made the following order :-

The petitioners, who are arrayed as accused for the alleged offences punishable under Sections 120(b), 406 and 420 IPC seek anticipatory bail.

2.The case of the prosecution is that the petitioners borrowed money from the defacto complainant in Dubai and did not repay the amount. The cheque issued by them was dishonoured. The petitioners left Dubai and came to India.

3.The case of the petitioner in Crl.O.P.(MD)No.11997 of 2015 is that he is an employee of the Company viz., M/s.Abdul Rahman Alawadi General Trading Ltd., Dubai. The defacto complainant had money transaction with the Company. The petitioner has not borrowed any amount and he did not issue any



cheque. He came to India for medical check up of his wife. The Company was wound up and therefore, he did not go back to Dubai.

4.The case of the petitioner in CrI.O.P.(MD)No.11750 of 2015 is that the petitioner borrowed money in Dubai and repaid the entire amount to the defacto complainant. Due to winding up of the Company, the petitioner left Dubai and came to India.

5.The learned counsel for the petitioners would submit that the petitioners are innocent persons and they have been falsely implicated in this case.

6.The learned Government Advocate (crl. side) appearing for the respondent police submitted that the investigation is pending.

7.Considering the gravity of the offence and also considering the fact that the investigation is pending, these Criminal Original Petitions are dismissed. However, a direction is issued to the respondent police to complete the investigation and to file a final report before the concerned Court, within a period of six months from the date of receipt of a copy of this order.

sd/-
02/11/2015

/ TRUE COPY /

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

TO

- 1 THE INSPECTOR OF POLICE
DISTRICT CRIME BRANCH, THABNJAVUR,
THANJAVUR DISTRICT.
- 2 THE ADDL PUBLIC PROSECUTOR
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.
- 3 THE DEPUTY SUPERINTENDENT OF POLICE,
DISTRICT CRIME BRANCH, THANJAVUR,
THANJAVUR DISTRICT

+1CC to MR.KARTHICK SUBRAMANIAN ADVOCATE SR.NO.64561
+1CC to M.Solaisamy Advocate Sr.No.64471

ORDER
IN
CRL OP(MD) No.11750 and
11997 of 2015
Date :02/11/2015

GJM/ARK/ZK/ARII-24.11.2015-2P-6C