



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

Tuesday, the Twenty Second day of September Two Thousand Fifteen

PRESENT

The Hon`ble Mr Justice K.KALYANASUNDARAM

CRL OP(MD) No.11885 of 2015

S. THIRUPATHI RAVICHANDRAN

... PETITIONER / ACCUSED

Vs

STATE REP. BY

THE INSPECTOR OF POLICE

B-1 VILAKKU THOON POLICE STATION (CRIME),

MADURAI DT,

(CRIME NO.775 OF 2015)

... RESPONDENT / COMPLAINANT

For Petitioner : M/S.M.SRIDHARAN Advocate

For Respondent : MS.S.PRABHA, Govt. Advocate (Crl. Side)

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

ORDER : The Court Made the following order :-

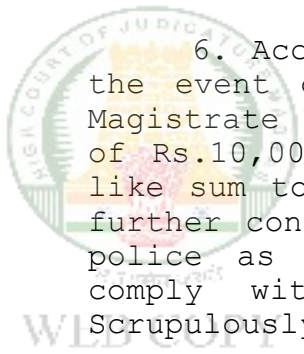
The petitioner, who is arrayed as A1, apprehends arrest at the hands of the respondent police for the alleged offence punishable under Sections 420 of I.P.C., in Crime No.775 of 2015 on the file of the respondent police and hence, seeks anticipatory bail.

2.The prosecution case is that the accused had received Rs.2,08,000/- from the de-facto complainant assuring to supply chillies, but after receiving the same, the petitioner cheated the de-facto complainant.

3.The learned counsel for the petitioner submitted that the de-facto complainant had purchased sugar from the petitioner for Rs.6 lakhs, but he paid only Rs.1,50,000/- through cheque and another Rs.65,000/- was paid in cash and the balance amount is not paid so far. Suppressing the fact, the present complaint has been lodged with an ulterior motive. It is further submitted that the transaction between the accused and the de-facto complainant is purely civil in nature and the present complaint is given with an intention to settle the matter before the respondent police. It is further submitted that the matter was referred to Mediation Centre and the petitioner has appeared before the Mediation, but the de-facto complainant did not turn up.

4.The learned Government Advocate (Crl.side) would submit that the petitioner has no bad antecedent and the other two accused are still at lurch.

5. Considering the facts and circumstances of the case, this Court grants 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.I, Madurai District 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 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/-
22/09/2015

/ TRUE COPY /

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

TO

1. THE JUDICIAL MAGISTRATE NO.I,
MADURAI DISTRICT.
2. THE INSPECTOR OF POLICE
B-1 VILAKKU THOON POLICE STATION (CRIME),
MADURAI DISTRICT.
3. THE ADDITIONAL PUBLIC PROSECUTOR
MADRAS HIGH COURT OF MADURAI BENCH,
MADURAI.

ORDER
IN
CRL OP(MD) No.11885 of 2015
Date :22/09/2015

P2/4C
SH:NGM-SS/SAR-II:30.09.2015