



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

Friday, the Twenty Eighth day of August Two Thousand Fifteen

PRESENT

THE HON`BLE MR JUSTICE K.KALYANASUNDARAM

CRL OP(MD) No.12045 of 2015

KAVERI

... PETITIONER/ACCUSED No.1

Vs

THE STATE REP.BY THE INSPECTOR OF POLICE
VEERACHOLAN POLICE STATION,
VIRUDHUNAGAR DISTRICT.
CRIME NO.46/2015

... RESPONDENT/COMPLAINANT

For Petitioner : M/S.S.DEENADHAYALAN Advocate

For Respondent : Govt. Advocate (Crl. Side)

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

ORDER : The Court Made the following order :-

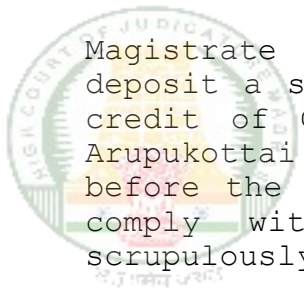
The petitioner, who is arrayed as accused No.1, apprehends arrest at the hands of the respondent police for the alleged offence punishable under Sections 406 and 420 of I.P.C., in Crime No.46 of 2015 on the file of the respondent police, seeks anticipatory bail.

2. According to the de-facto complainant, the accused have purchased watermelon fruits worth of Rs.1,00,000/- assuring to pay the amount immediately, but they failed to keep up their words and cheated the de-facto complainant.

3. The learned counsel for the petitioner submitted that the petitioner only introduced the accused 2 and 3 to the de-facto complainant and the entire transaction had taken place between them. The learned counsel for the petitioner further submitted that the main accused in this case are A2 and A3 and the petitioners have been unnecessarily implicated in this case. However, to prove his *bona fide*, he is ready to deposit Rs.25,000/- to the credit of the Crime No.46 of 2015.

4. The learned Government Advocate (Crl.side) submitted that the innocent farmer has been cheated by the accused and therefore, they are not entitled for anticipatory bail.

5. However, considering the submissions made by the learned counsel for the petitioner, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions. Accordingly, the petitioner is ordered to be released on bail in the event of his arrest or on his applying to the learned Judicial Magistrate, Arupukottai 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 deposit a sum of Rs.25,000/- (Rupees Twenty Five Thousand only) to the credit of Crime No.46 of 2015 before the learned Judicial Magistrate, Arupukottai within a period of two weeks and the petitioner shall appear before the respondent police as and when required. The petitioner shall comply with the condition stipulated under Section 438 Cr.P.C. scrupulously.

6. The petitioner shall appear before the concerned Judge 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/-
28/08/2015

/ TRUE COPY /

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

TO

1. THE JUDICIAL MAGISTRATE, ARUPPUKOTTAI.
2. DO THROUGH THE CHIEF JUDICIAL MAGISTRATE, VIRUDHUNAGAR DISTRICT
3. THE INSPECTOR OF POLICE, VEERACHOLAN POLICE STATION, VIRUDHUNAGAR DT.
4. THE ADDITIONAL PUBLIC PROSECTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1. CC to M/S.S.DEENADHAYALAN Advocate SR.No.50254

GJM/SS/NGM/LIB-3.9.15-2P-6C

ORDER
IN
CRL OP(MD) No.12045 of 2015
Date :28/08/2015