



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

Wednesday, the Twenty Second day of July Two Thousand Fifteen

PRESENT

The Hon`ble Mr Justice K.KALYANASUNDARAM

CRL OP(MD) No.12961 of 2015

... PETITIONER(S) / ACCUSED

Vs

STATE REP By:: THE INSPECTOR OF POLICE
KARIAPATTI POLICE STATION, VIRUDHAGAR
DISTRICT, CRIME NO.182 OF 2015

... RESPONDENT(S) / COMPLAINANT(S)

For Petitioner : M/S.I.SUTHAKARAN 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 accused No.1, apprehends arrest at the hands of the respondent police for the alleged offence punishable under Sections 406 r/w. 109 of I.P.C., in Crime No.182 of 2015 on the file of the respondent police and hence, seeks anticipatory bail.

2. According to the de-facto complainant, she entrusted the lorry bearing Registration No.TN-28-2086 to her brother-in-law / A1 and he sold the vehicle without her knowledge and consent and misappropriated the amount.

3. The learned counsel for the petitioner submitted that the de-facto complainant is none other than the sister-in-law of the petitioner and the vehicle was purchased on obtaining loan from the finance company and after entered into an agreement with A3, the petitioner has received Rs.50,000/- as advance and paid the amount to the finance company in order to get no objection certificate to transfer the vehicle in the name of the third accused. But, in the mean while, duly registration of the case, the accused 1 and 2 are not coming forward to pay the balance amount.

4. The learned Government Advocate (Crl.side) submitted that the petitioner, who has no right over the lorry entered into an agreement with A3 and also handed over the vehicle without the knowledge of the de-facto complainant, who is a widow.

5. Considering the facts and circumstances of the case, this Court is not inclined to grant anticipatory bail to the petitioner. Hence, this Criminal Original Petition is dismissed.

sd/-

22/07/2015

/ TRUE COPY /

Sub-Assistant Registrar (C.S.)

TO

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

2 THE INSPECTOR OF POLICE KARIAPATTI POLICE STATION, VIRUDHAGAR DISTRICT

1. CC to M/S.I.SUTHAKARAN Advocate SR.No.40463

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ORDER IN

CRL OP(MD) No.12961 of 2015

Date :22/07/2015