



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

Tuesday, the First day of September Two Thousand Fifteen

PRESENT

The Hon`ble Mr Justice K.KALYANASUNDARAM

CRL OP(MD) No.13284 of 2015

A.AALPADI, ... PETITIONER/SOLE ACCUSED

Vs

STATE THROUGH
THE INSPECTOR OF POLICE,
Y.OTHAKADAI POLICE STATION,
(IN CRIME NO.358 OF 2015) ... RESPONDENT/COMPLAINANT

For Petitioner : M/S.M.SARANGAN Advocate

For Respondent : MRS.S.PRABHA, Government Advocate (Crl. Side)

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

The petitioner, who is the sole accused, apprehends arrest at the hands of the respondent police for an alleged offences punishable under Section 420 of IPC and Section 506(i) of I.P.C. in Crime No.358 of 2015 on the file of the respondent police and hence, seeks anticipatory bail.

2.According to the defacto complainant, on the representation made by the accused he lent Rs.2,50,000/- on 01.10.2012 on executing a promissory note. But as per the assurance, he failed to repay the amount and thereby cheated the defacto complainant.

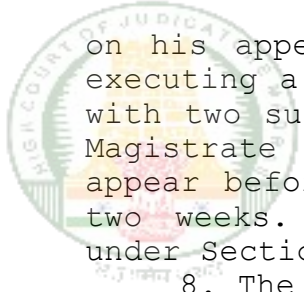
3.The learned counsel for the petitioner submitted that the petitioner is an innocent person and he has been falsely implicated in this case. He further submitted that the defacto complainant issued a notice to the wife of the petitioner on 24.06.2015 claiming Rs.3,00,000/-. For which, a reply was given on 02.07.2015.

4.It is further submitted that the petitioner gave a complaint on 21.06.2015 to the Inspector of Police, Othakadai Police Station alleging that the defaco complainant is charging exorbitant interest.

5.The learned counsel for the intervenor vehemently opposed the granting of anticipatory bail to the petitioner contending that his hard earned money of Rs.2,50,000/- was given to the petitioner on the assurance of the petitioner that as and when he needs the accused will repay the amount, but he failed to do so and cheated the defacto complainant.

6.Heard the learned Government Advocate (Crl.Side) appearing for the respondent.

7.Considering the facts of the case, this Court is inclined to grant anticipatory bail to the petitioner, with certain conditions. Accordingly, the petitioner is ordered to be released on bail on condition that the petitioner shall deposit a sum of Rs.1,00,000/- (Rupees One Lakh only) to the credit of Crime No.358 of 2015 before the Magistrate, Melur within a period of two weeks from the date of receipt of a copy of this order and on receipt of the same the petitioner is entitled to be released on bail in the event of arrest or



on his appearance before the learned Judicial Magistrate, Melur and on 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. The petitioner shall comply with the condition stipulated under Section 438 Cr.P.C. scrupulously.

8. 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/-
01/09/2015

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

TO

- 1 THE JUDICIAL MAGISTRATE ,MELUR.
- 2 THE CHIEF JUDICIAL MAGISTRATE, MADURAI DISTRICT.
- 3 THE INSPECTOR OF POLICE,Y.OTHAKADAI POLICE STATION,
- 4 THE ADDITIONAL PUBLIC PROSECUTOR
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI

- +1. CC to M/S.M.SARANGAN Advocate SR.No.50592
+1. CC to Mr.M.S.Jeyakarthik Advocate SR.No.50764

ORDER
IN
CRL OP(MD) No.13284 of 2015
Date :01/09/2015

CSL/AN-MP/SAR-II/03.09.2015
2p/7c