



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

Thursday, the Twenty Third day of July Two Thousand Fifteen

PRESENT

The Hon`ble Mr Justice K.KALYANASUNDARAM

CRL OP(MD) No.13777 of 2015

ANTONY ROSARIO

... PETITIONER/ SOLE ACCUSED

Vs.

THE STATE REP.BY
THE SUB INSPECTOR OF POLICE
TUTICORIN NORTH POLICE STATION,
TUTICORIN. CRIME NO.496 OF 2015

... RESPONDENT/ COMPLAINANT

For Petitioner : M/S.S.BHARATHI Advocate
For Respondent : MR.K.V.RAJARAJAN,
Govt. Advocate (Crl. Side)

PETITION FOR ANTICIPATORY BAIL Under Sec. 438 Cr.P.C.
ORDER : The Court Made the following order :-

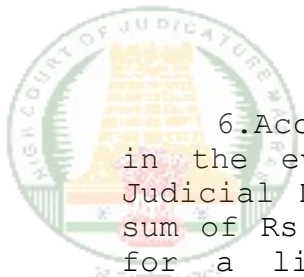
The petitioner, who is arrayed as sole accused, apprehends arrest at the hands of the respondent police for the alleged offence punishable under Sections 420, 294(b) and 506(ii) of I.P.C. in Crime No.496 of 2015 on the file of the respondent police and hence, seeks anticipatory bail.

2.According to the de facto complainant, he is a carpenter and he had done carpenter work as per the agreement with the petitioner, but he failed to pay Rs.26,000/- and therefore he has cheated.

3.The learned counsel for the petitioner submitted that the petitioner is only acted as a mediator and he introduced the de facto complainant to one Ruba, who is running beauty parlour and he is nothing to do with the alleged crime and he has been unnecessarily impleaded in this case. He further submitted that the petitioner is an innocent person and he has not committed any offence as alleged by the respondent police and hence prays for anticipatory bail in favour of the petitioner.

4.The learned Government Advocate (Crl. Side) submitted that the petitioner is having one previous case and he has cheated the de facto complainant by not paying Rs.26,000/- after the carpenter work was completed by the de facto complainant.

5.Considering the facts and circumstances of the case, this Court is inclined to grant 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.II, Tuticorin 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 and thereafter as and when required. 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/-
23/07/2015

/ TRUE COPY /

Sub-Assistant Registrar

TO

1 THE JUDICIAL MAGISTRATE NO.II,
TUTICORIN.

2 -DO- THRO' THE CHIEF JUDICIAL MAGISTRATE
TUTICORIN.

3 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

4 THE SUB INSPECTOR OF POLICE
TUTICORIN NORTH POLICE STATION, TUTICORIN.

+1. CC to M/S.S.BHARATHI Advocate SR.No.40968

akm/24.07.15 /2p-6c/

ORDER
IN
CRL OP(MD) No.13777 of 2015
Date :23/07/2015