



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

Thursday, the Fifteenth day of October Two Thousand Fifteen

PRESENT

The Hon`ble Mr Justice K.KALYANASUNDARAM

CRL OP(MD) No.15364 of 2015

SURULIRAM

...PETITIONER/SOLE ACCUSED

Vs

THE STATE REP BY
THE INSPECTOR OF POLICE,
SOUTH POLICE STATION,
THOOTHUKUDI.
(CRIME NO.626 OF 2015)

... RESPONDENT / COMPLAINANT

For Petitioner : M/S.V.SASIKUMAR Advocate

For Respondent : M/S.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 sole accused apprehends arrest at the hands of the respondent police for the alleged offences punishable under sections 294-B, and 420 of IPC, in Crime No.626 of 2015 on the file of the respondent police and hence, seeks anticipatory bail.

2.The case of the prosecution is that the de-facto complainant is doing business in Thoothukudi and the accused is also running a business in the name of Trans Ship Freight in Thoothukudi and for his business purpose, he borrowed loan of Rs.10 Lakhs from the de-facto complainant, but failed to pay the same and thereby, cheated the de-facto complainant.

3.The learned counsel for the petitioner submitted that the petitioner is an innocent person and he has not committed any offence as alleged by the prosecution. The learned counsel further submitted that the complaints in Crime Nos.626 and 627 of 2015 were given at the instigation of the complainant in Crime No.625 of 2015. It is further submitted that the de-facto complainant has not even mentioned the amount and the date of borrowal in the complaint and it would show that the entire allegations made in the complaint are false. The learned counsel further submitted that the transactions between the accused and the de-facto complainant are purely civil in



nature and this complaint is given with a view to settle the same before the criminal Forum.

4. Heard the learned Government Advocate (Criminal side) appearing for the respondent.

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.I, Thoothukudi 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 daily at 10.00 a.m until further orders. 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/-

15/10/2015

/ TRUE COPY /

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

TO

1. THE JUDICIAL MAGISTRATE NO.I, THOOTHUKUDI

2. DO THROUGH THE CHIEF JUDICIAL MAGISTRATE, THOOTHUKUDI DISTRICT

3. THE INSPECTOR OF POLICE,
SOUTH POLICE STATION, THOOTHUKUDI.

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

+1. CC to M/S.V.SASIKUMAR Advocate SR.No.62093

RL/6 C- 26/10/2015

ORDER

IN

CRL OP(MD) No.15364 of 2015

Date :15/10/2015