



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

Wednesday, the Twenty Third day of September Two Thousand Fifteen

PRESENT

The Hon`ble Mr Justice K.KALYANASUNDARAM

CRL OP(MD) No.17513 of 2015

R. ARUMUGAM

... PETITIONER / ACCUSED
RANK NOT KNOWN

Vs

THE STATE REP.BY THE INSPECTOR OF POLICE
VALANADU POLICE STATION,
VALANADU, TRICHY DISTRICT.
(CRIME NO. 331 OF 2015)

... RESPONDENT / COMPLAINANT

For Petitioner : M/S A.AC.ASAITHAMBI Advocate

For Respondent : M/S.S.Prabha Government Advocate (Crl.Side)

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

ORDER : The Court Made the following order :-

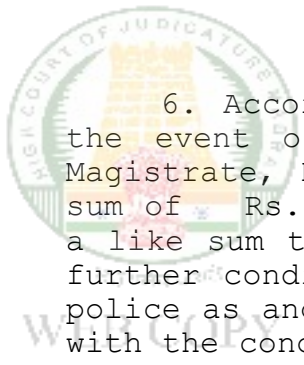
The petitioner, who is arrayed as accused, apprehends arrest at the hands of the respondent police for the alleged offence punishable under Sections 363, 454 and 380 of I.P.C., in Crime No.331 of 2015 on the file of the respondent police and hence, seeks anticipatory bail.

2.According to the de-facto complainant, the accused broke open the shop of the de-facto complainant and taken away 350 bags of cement and other building materials worth about Rs.5,50,000/-.

3.The learned counsel for the petitioner submitted that the petitioner is a dealer of Bharathi Cement and the de-facto complainant has purchased 300 bags of cement on 21.07.2015 issuing a post dated cheque, but he voluntarily returned the cement bags and thereafter, the de-facto complainant lodged a complaint with an ulterior motive. The learned counsel has produced receipt and cheque issued by the de-facto complainant for Rs.1,06,500/-.

4.The learned Government Advocate (Crl.side) would submit that the petitioner has no bad antecedent, however, the accused high-handedly took the cement from the custody of 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, Manaparai, Trichy District 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 as and when required for interrogation. 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/-
23/09/2015

/ TRUE COPY /

Sub-Assistant Registrar (C.S.)

TO

- 1 THE JUDICIAL MAGISTRATE, MANAPARAI.
- 2 DO THRO THE CHIEF JUDICIAL MAGISTRATE, TRICHY.
- 3 THE ADDL.PUBLIC PROSECUTOR
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.
- 4 THE INSPECTOR OF POLICE, VALANADU POLICE STATION,
VALANADU, TRICHY DISTRICT.

+1. CC to M/S A.AC.ASAITHAMBI Advocate SR.No.56333.

TS/30.09.2015/2P - 6C GSV-PM/SAR -I

ORDER IN
CRL OP(MD) No.17513 of 2015
Date :23/09/2015