



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

Monday, the Twenty First day of September Two Thousand Fifteen

PRESENT

The Hon`ble Mr Justice K.KALYANASUNDARAM

CRL OP(MD) No.18129 of 2015

1 M.V. ANTONY ALPHONSE
2 R.SIVAKUMAR
3 S.K. ARUN

... PETITIONERS / ACCUSED No. 1 to 3

Vs

State Rep.By
THE INSEPECTOR OF POLICE
SAMAYANALLUR POLICE STATION,
MADURAI, MADURAI DISTRICT
Cr.No.370 of 2015

... RESPONDENT / COMPLAINANT

For Petitioner : M/S.P.ANDIRAJ Advocate

For Respondent : Mrs.S.Prabha, Govt. Advocate (Crl. Side)

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

ORDER : The Court Made the following order :-

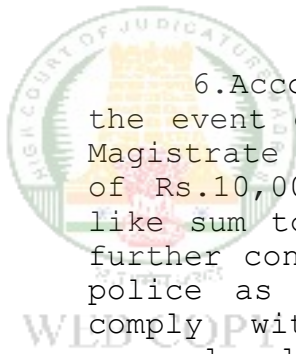
The petitioners, who are arrayed as A1 to A3 apprehend arrest at the hands of the respondent police for the alleged offences punishable under sections 406 and 420 of IPC, in Crime No.370 of 2015 on the file of the respondent police and hence, seek anticipatory bail.

2.The case of the prosecution is that the accused had received Rs.52,50,000/- from the de-facto complainant assuring him to deliver 2015 model Car, but they delivered 2014 model Car, thereby cheated the de-facto complainant.

3.The learned counsel for the petitioners submitted that the petitioners are innocent persons and they have not committed any offence as alleged by the prosecution. The learned counsel further submitted that the original value of 2015 model Car is Rs.77,00,000/- and Rs.12,00,000/- discount was given to the de-facto complainant to purchase 2014 model car and the car was delivered on 03.08.2015 and thereafter, he filed a case before the State Consumer Form in C.C.No.28 of 2015 and he also issued a notice on 06.08.2015 to the petitioners, for which the petitioners have sent a suitable reply on 12.08.2015. The learned counsel further submitted that A1 is the Sales Representative and A2 is the General Manager and A3 is the Chief Executive Officer of M/s.Janhvi Motors Pvt. Limited (Audi Car Showroom), Madurai and they have been falsely implicated in this case with an ulterior motive.

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

<https://hcservices.ecourts.gov.in/hcservices/>
5.Considering the above facts and circumstances of the case, this Court is inclined to grant anticipatory bail to the petitioners with certain conditions.



6. Accordingly, the petitioners are ordered to be released on bail in the event of arrest or on their appearance before the learned Judicial Magistrate No.4, Madurai and on each of them 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 petitioners shall appear before the respondent police as and when required for interrogation. The petitioners shall comply with the condition stipulated under Section 438 Cr.P.C. scrupulously.

7. The petitioners 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/-
21/09/2015

/ TRUE COPY /

Sub-Assistant Registrar (C.S.)

TO

- 1 THE JUDICIAL MAGISTRATE NO.IV, MADURAI
- 2 -do-thro THE CHIEF JUDICIAL MAGISTRATE, MADURAI DISTRICT
- 3 THE INSEPECTOR OF POLICE
SAMAYANALLUR POLICE STATION,
MADURAI, MADURAI DISTRICT
- 4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1. CC to M/S.P.ANDIRAJ Advocate SR.No.55923

sm:SKS:RR:LIB:23.09.2015:2P/6c

ORDER
IN
CRL OP(MD) No.18129 of 2015
Date :21/09/2015