



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

Monday, the Second day of February Two Thousand Fifteen

PRESENT

The Hon`ble Mr Justice P.N.PRAKASH

CRL OP (MD) No.20247 of 2014

M.MANOJKUMAR

... PETITIONER /ACCUSED NO.2

Vs

STATE REPRESENTED BY

THE INSPECTOR OF POLICE

CENTRAL CRIME BRANCH, MADURAI CITY POLICE,

CRIME NO.37 OF 2014

... RESPONDENT

For Petitioner : M/S.MP.DHAMODARAN Advocate

For Respondent : Govt. Advocate (Crl. Side)

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

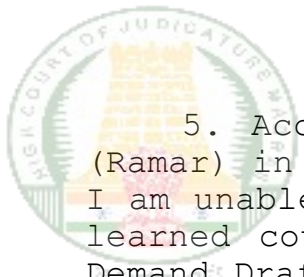
ORDER : The Court Made the following order :-

The petitioner, who apprehends arrest at the hands of the respondent police for the alleged offences punishable under Sections 406 and 420 IPC in Crime No.37 of 2014 on the file of the respondent police, seeks anticipatory bail.

2. Heard the learned counsel for the petitioner and the learned Government Advocate (Crl.Side) appearing for the State.

3. This is second anticipatory bail petition and the first anticipatory bail petition in Crl.O.P.(MD) No.11463 of 2014 was dismissed on 11.08.2014 by a well considered order.

4. The defacto complainant in this case is the Manager of Catholic Syrian Bank, Madurai. It is the case of the defacto complainant that Manojkumar (petitioner herein) is a partner in M/s.Shree Shimma Vaahini Motors, Madurai and that he introduced the 1st accused Ramar with the Bank for purchase of Tractor Trailer for Rs.16,17,880/-. The Bank also issued a Demand Draft for Rs.14,17,880/- in favour of M/s.Shree Shimma Vaahini Motors, Madurai run by this petitioner. The petitioner encashed the said Demand Draft, but did not produce the R.C.Book and other documents in support of the sale of Tractor Trailer to Ramar.



5. According to this petitioner, he had given the cash to Al (Ramar) in this case, for which he produced certain Bank statements. I am unable to persuade myself to agree with this submission of the learned counsel for the petitioner, because the Bank had paid the Demand Draft to this petitioner only on the representation that he is the dealer of Tractor Trailer and that he would deliver the same to the borrower. Ramar (borrower) has mortgaged his properties with the Bank for the said loan. Therefore, his position is not parameteria with that of this accused.

6. Since allegations against this petitioner are indeed very serious, this Court is not inclined to grant anticipatory bail to him. Hence, the Criminal Original Petition is dismissed.

sd/-
02/02/2015

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

TO

1. THE ADDITIONAL PUBLIC PROSECUTOR
MADURAI BENCH OF MADRAS HIGH COURT
MADURAI

2. THE INSPECTOR OF POLICE
CENTRAL CRIME BRANCH, MADURAI CITY POLICE,

RL/3C - 6/2/2015

ORDER
IN
CRL OP(MD) No.20247 of 2014
Date :02/02/2015