



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

Monday, the Thirteenth day of April Two Thousand Fifteen
PRESENT

The Hon`ble Mr.Justice K.KALYANASUNDARAM

CRL OP(MD) No.20580 of 2014

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D.RAMKUMAR

... PETITIONER/ACCUSED

Vs

STATE REP.BY

THE INSPECTOR OF POLICE,
PASUPATHIPALAYAM POLICE STATION,
KARUR.

CRIME NO. (*) 814 OF 2014

... RESPONDENT/COMPLAINANT

**(*)Amended as per the order of this Hon'ble Court
dated 19.11.2014 and made in MP(MD)No.1/2014
in Crl.OP(MD)No.20580/2014.**

For Petitioner : M/S.T.ANTONY ARUL RAJ 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 accused, apprehends arrest at the hands of the respondent police for the alleged offence punishable under Sections 406 of I.P.C. in Crime No.814 of 2014 on the file of the respondent police and hence, seeks anticipatory bail.

2.The case of the prosecution is that the petitioner, who is a contractor supplying materials to Chettinad Cement Company engaged the de-facto complainant for transportation of materials and thereby he is liable to pay Rs.13,47,000/-.

3.It is submitted by the learned counsel for the petitioner that the the petitioner engaged the service of the de-facto complainant for transportation charges of Rs.5,96,877/- through bank and he is not liable to pay any amount to the de-facto complainant. He further submits that there is no ingredient to attract the offence of Section 406 of I.P.C.

4.It is submitted by the learned Government Advocate (Crl.side) and the petitioner is liable to pay a sum of Rs.13,47,000/- to the de-facto complainant.



5.Considering the facts and circumstance of the case, this Court is inclined to grant anticipatory bail to the petitioner, with certain conditions.

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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, Karur 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 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/-
13/04/2015

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

TO

- 1 THE JUDICIAL MAGISTRATE NO.I, KARUR.
- 2 DO-THRO' THE CHIEF JUDICIAL MAGISTRATE, KARUR.
- 3 THE INSPECTOR OF POLICE,
PASUPATHIPALAYAM POLICE STATION, KARUR.
- 4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1. CC to M/S.T.ANTONY ARUL RAJ Advocate SR.No.18627

ORDER
IN
CRL OP(MD) No.20580 of 2014
Date :13/04/2015

PA/15.04.2015/2P/6C