



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

Tuesday, the Eighth day of December Two Thousand Fifteen

PRESENT

The Hon`ble Ms.Justice V.M.VELUMANI

CRL OP(MD) No.22291 of 2015

M.VENKATATHIRI @ VENKATESAN

... PETITIONER / SOLE ACCUSED

Vs

1 THE STATE REP.BY
THE INSPECTOR OF POLICE
OTHAKADAI POLICE STATION,
CRIME NO. 604/2015,
MADURAI DISTRICT.

... RESPONDENT / COMPLAINANT

2 V. THANGARAJ

... RESPONDENT / DEFACTO COMPLAINANTS

For Petitioner : M/S M.KAMESWARAN Advocate

For Respondent : MR.K.ANBARASAN Govt. Advocate (Crl. Side) FOR 1st
RESPONDENT

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

ORDER : The Court Made the following order :-

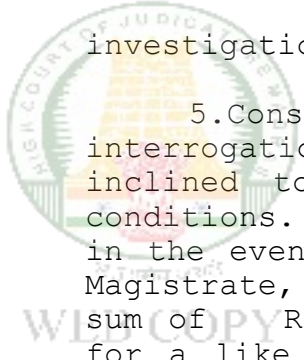
The petitioner, who is arrayed as sole accused, in Crime No.604 of 2015 on the file of the respondent police, apprehends arrest at the hands of the respondent police for the alleged offence punishable under Sections 420 and 506(i) I.P.C. and hence, seeks anticipatory bail.

2. The case of the prosecution is that the petitioner approached the defacto complainant on 01.06.2012 for construction of his house. At that time, the petitioner agreed to pay 5% of Rupees Thirty Lakhs as salary to the defacto complainant. As per the instructions and supervision of the defacto complainant, the petitioner constructed the house and the same was completed. After the completion of the construction work, the petitioner refused to pay the agreed amount to the defacto complainant and when he demanded, the petitioner threatened the defacto complainant with dire consequences.

3. The case of the petitioner is that the petitioner is the owner of the house and the petitioner did not appoint any civil engineer for consultation. The petitioner constructed the house and from 18.01.2013, the family of the petitioner started to live in the new house. The petitioner and the defacto complainant are neighbours and there is some dispute between them and due to that, a false complaint has been given by the defacto complainant.

<https://hccs.cerules.com/in/uscmt/121>

4.The learned Government Advocate (Crl.Side) submitted that the



investigation is pending.

5.Considering the facts and circumstances of the case, the custodial interrogation of the petitioner is not required and hence, this Court is inclined to grant anticipatory bail to the petitioner, with certain conditions. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on his appearance before the learned Judicial Magistrate, Melur, Madurai 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 daily at 10.00 a.m. until further orders. The petitioner shall comply with the condition stipulated under Section 438 Cr.P.C. Scrupulously.

6.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/-
08/12/2015

/ TRUE COPY /

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

TO

1 THE JUDICIAL MAGISTRATE
MELUR

2 DO THRO THE CHEIF JUDICIAL MAGISTRATE
MADURAI DISTRICT

3 THE INSPECTOR OF POLICE,
OTHAKADAI POLICE STATION,
MADURAI DISTRICT.

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

+1. CC to M/S M.KAMESWARAN Advocate SR.No.70287.

ORDER
IN
CRL OP(MD) No.22291 of 2015
Date :08/12/2015

AM/15.12.2015/NGM.SS/SAR-I/2P/6C