



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

Thursday, the Tenth day of December Two Thousand Fifteen

PRESENT

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

CRL OP(MD) No.22786 of 2015

HAJA MOHAIDEEN

... PETITIONER / SOLE ACCUSED

Vs

STATE REP. BY
THE INSPECTOR OF POLICE
KARAIKUDI NORTH (CRIME) POLICE STATION,
SIVAGANGAI DISTRICT,
CR NO.89/2014.

... RESPONDENT / COMPLAINANT

For Petitioner : M/S D.RAMESHKUMAR, Advocate

For Respondent : Mr.K.ANBARASAN, Government Advocate (Crl. Side)

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

ORDER : The Court Made the following order :-

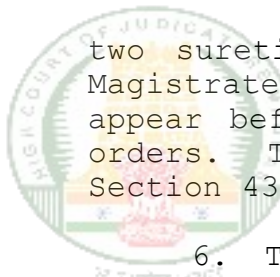
The petitioner, who is the sole accused, apprehends arrest at the hands of the respondent police for the alleged offences punishable under Sections 420 and 406 of IPC in Crime No.89 of 2014 on the file of the respondent police and hence, seeks anticipatory bail.

2. The case of the prosecution is that the petitioner is a licence holder of Aavin Co-operative Society Milk Booth, for running a Milk Parlour. He has collected a money from general public in advance and thereafter, he did not supply the Milk to them and also refused to return the money.

3. The learned counsel appearing for the petitioner submitted that the petitioner has appointed one person as a Manager to look after the accounts and the said Manager only mis-appropriated the collected amount. He further submitted that the petitioner is innocent person and he has not committed any offence as alleged by the prosecution.

4. The learned Government Advocate (Crl. Side) submitted that the petitioner is the licence holder of Milk Booth, after collecting the amount form the general public, he did not supply the milk. He further submitted that now the licence was cancelled and the charge sheet has been filed against the petitioner.

5.Considering the facts and circumstances of the case and also considering the fact that the licence was cancelled and that the charge sheet has been filed, this Court is inclined to grant anticipatory bail to the petitioner, with certain conditions. Accordingly, the petitioner is released on bail in the event of arrest or on his appearance before the learned Judicial Magistrate, Karaikudi 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/-
10/12/2015

/ TRUE COPY /

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

TO

1. THE JUDICIAL MAGISTRATE,
KARAIKUDI.
 2. -DO- THRO' THE CHIEF JUDICIAL MAGISTRATE
SIVAGANGAI DISTRICT
 3. THE INSPECTOR OF POLICE
KARAIKUDI NORTH (CRIME) POLICE STATION,
SIVAGANGAI DISTRICT,
 4. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.
- +1. CC to M/S D.RAMESHKUMAR Advocate SR.No.70830

ORDER IN
CRL OP(MD) No.22786 of 2015
Date :10/12/2015

trp
SH/GSV-AN/SAR-I:14.12.2015:2P/6C