



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

Thursday, the Fifteenth day of October Two Thousand Fifteen

PRESENT

The Hon`ble Mr Justice K.KALYANASUNDARAM

WEB COPY

CRL OP(MD) No.4614 of 2015

E.RUBAN CHAKRAVARTHY ... PETITIONER/ ACCUSED RANK NOT KNOWN

Vs

THE STATE REP.BY

THE INSPECTOR OF POLICE

NAGAMALAI PUDUKKOTTAI POLICE STATION,

MADURAI DISTRICT.

(CRIME NO. 143 OF 2015) ... RESPONDENT / COMPLAINANT

For Petitioner : M/S.B.CHANDRAN Advocate

For Respondent : M/S.S.PRABHA, 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 294(b), 323 and 506(ii) of I.P.C., and Sections 3 and 4 of D.P Act, in Crime No.143 of 2015 on the file of the respondent police and hence, seeks anticipatory bail.

2.According to the prosecution, the de-facto complainant has paid Rs.1 lakh to the accused at the time of getting his property as othi and after vacating the property, the accused has refused to pay back the amount to the de-facto complainant.

3.The learned counsel for the petitioner submitted that the petitioner is not disputed his liability to return Rs.1 lakh to the de-facto complainant, but due to financial crunchy, the amount could not be paid immediately. The learned counsel further submitted that the petitioner is receiving total income per month at Rs.20,000/- and he is ready to pay Rs.25,000/- immediately to the de-facto complainant and the balance amount will be paid in five instalments and he has also filed an affidavit to that effect.

4.Heard the learned Government Advocate (Crl.side) appearing for the State.

5.In view of the above, the petitioner shall deposit <https://hcservices.ecourts.gov.in/hcservices/> Rs.25,000/- to the credit of Crime NO. 143 of 2015 on the file of the learned Judicial Magistrate No.VI, Madurai on or before



26.10.2015 and the balance amount shall be paid in five monthly instalments at the rate of Rs.15,000/- as per the affidavit filed by the petitioner.

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

7. 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.VI, Madurai 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 as and when required for interrogation. The petitioner shall comply with the condition stipulated under Section 438 Cr.P.C. scrupulously.

8. The learned Judicial Magistrate No.VI, Madurai shall disburse the amount of Rs.1,00,000/- to the de-facto complainant on proper identification.

9. 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/-
15/10/2015

/ TRUE COPY /

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

TO

- 1 THE JUDICIAL MAGISTRATE NO.VI,
MADURAI.
- 2 THE CHIEF JUDICIAL MAGISTRATE
MADURAI.
- 3 THE ADDL PUBLIC PROSECUTOR
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.
- 4 THE INSPECTOR OF POLICE
NAGAMALAI PUDUKKOTTAI POLICE STATION, MADURAI DISTRICT.

+1. CC to M/S.B.CHANDRAN Advocate SR.No.61306

ORDER
IN
CRL OP(MD) No.4614 of 2015
Date :15/10/2015