



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

Thursday, the Eleventh day of June Two Thousand Fifteen
PRESENT

The Hon`ble Mr Justice K.KALYANASUNDARAM

CRL OP (MD) No.6302 of 2015

WEB COPY

M.S.PANDI KUMAR

... PETITIONER/ACCUSED NO.NOT KNOWN

Vs

STATE REP BY

THE INSPECTOR OF POLICE

B-5, SOUTH GATE POLICE STATION (CRIME),

MADURAI CITY, MADURAI.

(IN CRIME NO.403 OF 2015), ... RESPONDENT/COMPLAINANT

For Petitioner : MR.PRASANA RAJKUMAR for

M/S.S.MUTHALRAJ Advocate

For Respondent : MR.A.P.BALASUBRAMANIAN

Govt. Advocate (Crl. Side)

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

ORDER : The Court Made the following order :-

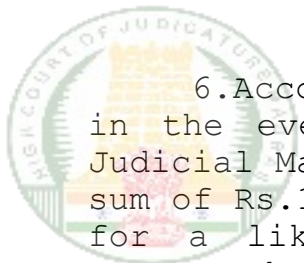
The petitioner, who is arrayed as sole accused apprehends arrest at the hands of the respondent police for the alleged offence punishable under section 420 of IPC, in Crime No.403 of 2015 on the file of the respondent police and hence, seeks anticipatory bail.

2.The case of the prosecution is that the accused purchased garments from the de-facto complainant and issued a cheque for Rs.6,00,000/-, but failed to pay that amount.

3.The learned counsel for the petitioner submitted that the petitioner is an innocent person and he has not committed any offence as alleged by the prosecution. He further submitted that the petitioner purchased materials through the sub-agent of the de-facto complainant, who is at Madurai and the petitioner had paid the entire sale consideration to the sub-agent, which was not given credit to his principal. It is further submitted that the cheque issued by the petitioner as security has been misused by the principal and the sub-agent of the de-facto complainant, for which the petitioner had lodged a complaint with the police at Bodi in the year 2014 and thereafter, the present complaint was filed in 2015.

4.Heard the learned Government Advocate (Criminal side) appearing for the respondent.

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



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.IV, Madurai 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.

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/-

11/06/2015

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

TO

- 1 THE JUDICIAL MAGISTRATE, NO.IV, MADURAI
- 2 -DO-THRO THE CHIEF JUDICIAL MAGISTRATE MADURAI DISTRICT
- 3 THE INSPECTOR OF POLICE B-5, SOUTH GATE POLICE STATION (CRIMES),
MADURAI CITY, MADURAI.
- 4 THE ADDL.PUBLIC PROSECUTOR
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1. CC to M/S.S.MUTHALRAJ Advocate SR.No.30133

ORDER

IN

CRL OP(MD) No.6302 of 2015

Date :11/06/2015

NA/PPS/19/06/2015/P2/6C