



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

Thursday, the Fourteenth day of July Two Thousand Sixteen

PRESENT

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

CRL OP(MD) Nos.11208 and 11209 of 2016

MOHAMMED HANIFA

... PETITIONER/ACCUSED NO.1
IN CRL.OP(MD)NO.11208/2016 AND
PETITIONER/SOLE ACCUSED IN
CRL.OP(MD)NO.11209/2016

Vs

THE STATE REP BY
THE INSPECTOR OF POLICE
DISTRICT CRIME BRANCH,
PUDUKOTTAI DISTRICT,
(CRIME NO.19 OF 2010)

... RESPONDENT/ COMPLAINANT IN
CRL.OP(MD)NO.11208/2016

THE STATE REP BY
THE INSPECTOR OF POLICE
DISTRICT CRIME BRANCH,
PUDUKOTTAI DISTRICT,
(CRIME NO.26 OF 2010)

... RESPONDENT/ COMPLAINANT IN
CRL.OP(MD)NO.11209/2016

For Petitioner : No Appearance in both Petitions

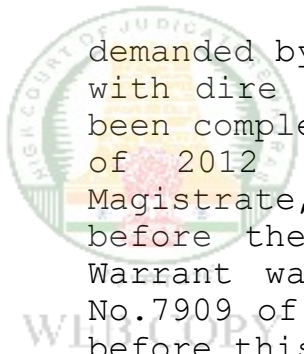
For Respondent : M/S.P.KANNITHEVAN,
Government Advocate (Crl.Side) in both the Petitions

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 offences punishable under Sections 406 and 420 of IPC, in Crime Nos.19 & 26 of 2010, on the file of the respondent police and hence, seeks anticipatory bail.

2.The learned Government Advocate (Crl.side) submitted that the petitioner had received a sum of Rs.3,30,000/- from various persons including defacto complainant on the pretext of sending him to abroad. Subsequently, he did not send them. When the same was



demand by the defacto complainants, the petitioner threatened them with dire consequences. He further submitted that investigation has been completed and charge-sheet had already been filed in C.C.No.124 of 2012 and C.C.No.56 of 2013 before the learned Judicial Magistrate, Alangudi. Thereafter, the petitioner did not appear before the trial Court on 27.06.2014 and therefore, Non-Bailable Warrant was issued against him. The petitioner filed Crl.O.P(MD) No.7909 of 2015 and Crl.O.P(MD)N.7910 of 2015 for anticipatory bail before this Court. This Court, by the order dated 28.04.2015 granted anticipatory bail to the petitioner. Even thereafter, the petitioner did not execute the sureties and did not appear before the trial Court regularly.

3.Considering the facts and circumstances of the case and also considering the fact that the petitioner received amounts from unemployed persons and subsequently, he cheated them and the matter is pending from 2012 and petitioner did not comply the condition imposed by the Court and Non-Bailable Warrant is pending against him and the trial could not be completed due to non-appearance of the accused, this Court is not inclined to grant anticipatory bail to the petitioner. Hence, these petitions are dismissed.

sd/-
14/07/2016

/ TRUE COPY /

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

TO

- 1.THE JUDICIAL MAGISTRATE
ALANGUDI
- 2.DO THROUGH THE CHIEF JUDICIAL MAGISTRATE
PUDUKOTTAI DISTRICT
- 3.THE ADDITIONAL PUBLIC PROSECUTOR
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI
- 4.THE INSPECTOR OF POLICE
DISTRICT CRIME BRANCH,
PUDUKOTTAI DISTRICT,
RL/5C/2P/ARK/PV/SARIII/28/7/2016

ORDER
IN
CRL OP (MD) Nos.11208 and
11209 of 2016
Date :14/07/2016