



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

Friday, the Twenty Second day of April Two Thousand Sixteen

PRESENT

The Hon`ble Mr Justice G.CHOCKALINGAM

WEB COPY

CRL OP (MD) No.6341 of 2016

1 ALEXANDER
2 CHELLATHURAI

... PETITIONERS / ACCUSED No.1 & 2

Vs

THE STATE REP.BY
THE SUB INSPECTOR OF POLICE
CUMBUM NORTH POLICE STATION,
(IN CR.NO. 423 OF 2015)
THENI DISTRICT.

... RESPONDENT/ COMPLAINANT

For Petitioner : M/S S.MUTHALRAJ Advocate

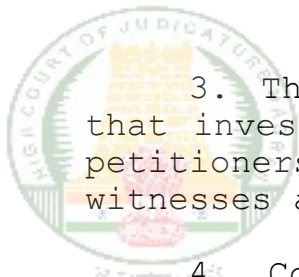
For Respondent : MR.A.P.BALASUBRAMANI, Govt. Advocate (Crl. Side)

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

ORDER : The Court Made the following order :-

The petitioners/Accused Nos.1 & 2, who apprehends arrest at the hands of the respondent police for the alleged offences punishable under Sections 406 and 420 of the Indian Penal Code, in Crime No.423 of 2015 on the file of the respondent police, seek anticipatory bail.

2. The learned counsel for the petitioners submitted that the petitioners are innocent and they have not committed any offence as alleged by the prosecution and a false case has been foisted against them. He would further submit that the first petitioner and the defacto complainant have entered into a sale agreement for a sum of Rs.2,00,000/-. Since the petitioners failed to comply with the sale agreement, the defacto complainant had issued a notice to the petitioners and the petitioners were enquired by the respondent Police. In these circumstances, the first petitioner filed a Crl.O.P(MD)No.15748 of 2015 directing the respondent not to harass the petitioners under the guise of enquiry and on 14.08.2015, the respondent police submitted that the respondent Police conducted an enquiry and after completion of enquiry, the said petition was closed. Subsequently, the present complaint has been given by the defacto complainant in order to settle the amount due by the petitioners. Hence, he prays that the petitioners may be enlarged on anticipatory bail.



3. The learned Government Advocate (Criminal Side) submitted that investigation is at the initial stage in this case and if the petitioners are granted anticipatory bail, they will tamper the witnesses and hence, he prays for dismissal of this petition.

4. Considering the fact that the investigation is at the initial stage, this Court is not inclined to grant anticipatory bail to the petitioners and accordingly, this Criminal Original Petition is dismissed.

sd/-
22/04/2016

/ TRUE COPY /

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

TO

1 THE SUB INSPECTOR OF POLICE
CUMBUM NORTH POLICE STATION,
THENI DISTRICT.

2 THE ADDL. PUBLIC PROSECUTOR
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1. CC to M/S Na.Palaniyandi, Advocate SR.No.22858

RG.SK-SKN/SAR-I 25.04.2016 2P/4C

ORDER
IN
CRL OP(MD) No.6341 of 2016
Date :22/04/2016