



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

Monday, the Twentieth day of June Two Thousand Sixteen

PRESENT

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

CRL OP(MD) No.8531 of 2016

SELVASURESH

... PETITIONER/ACCUSED

Vs

STATE REP BY THE INSPECTOR OF POLICE
DISTRICT CRIME BRANCH, NAGERCOIL,
KANYAKUMARI DISTRICT. CR. NO.6/2016

... RESPONDENT/COMPLAINANT

For Petitioner : M/S S.C.HEROLD SINGH Advocate

For Respondent : MR.P.KANNITHEVAN 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 offences punishable under sections 420 IPC, in Crime No.6 of 2016, on the file of the respondent police and hence, seeks anticipatory bail.

2.The case of the prosecution is that the petitioner is the owner of TATA Indica car bearing Registration No.TN-58-J-6295 and the same was met with an accident at Panagudi On 28.08.2014. The injured filed M.C.O.P.No.1224 of 2014 before the Special Sub Court, Tirunelveli, claiming compensation. While verifying the cover note, it was found that the same was issued to a TATA Nano car, which is insured in the name of one Mr.Ibaathurraguman at Tiruchendur for the period from 17.01.2014 to 16.01.2015 and since there is a suspicion of fabrication for cheating the company and to swindle the money, a complaint was given and based on the same, case has been registered for the above said offences.

3.The case of the petitioner is that the petitioner is an innocent person and he has not committed any offence as alleged by the prosecution. One Bebin, insurance agent, who is a neighbour of the mother-in-law of the petitioner, informed him as he is an agent of United India Insurance Company and requested the petitioner to get the insurance renewed through him and the petitioner gave a sum of RS.5,000/- for renewal. But the said Bebin did not give the policy certificate. After repeated demands, the said Bebin gave a



certificate. Believing the same to be genuine, the petitioner gave the certificate to the injured person and after knowing the same he gave a complaint to the respondent police against the said Bebin.

4.The learned Government Advocate (Criminal side) appearing for the respondent submitted that investigation is pending.

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5.Considering the facts and circumstances of the case and also considering the nature of allegation levelled against the petitioner, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions. 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.I, Nagercoil, 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. for a period of two weeks and thereafter as and when required for interrogation. 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/-

20/06/2016

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

TO

- 1 THE JUDICIAL MAGISTRATE NO.I, NAGERCOIL
- 2 THE CHIEF JUDICIAL MAGISTRATE, KANYAKUMARI AT NAGERCOIL
- 3 THE INSPECTOR OF POLICE
DISTRICT CRIME BRANCH, NAGERCOIL, KANYAKUMARI DISTRICT.
- 4 THE ADDL PUBLIC PROSECUTOR
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1. CC to M/S S.C.HEROLD SINGH Advocate SR.No.31433

ORDER

IN

CRL OP(MD) No.8531 of 2016

Date :20/06/2016

AA/NGM-MP/SAR-I/22.06.2016/2p-6c