



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.8637 of 2016

S.MUTHU

.. PETITIONER/ SOLE ACCUSED

Vs

1 STATE REP.BY

THE INSPECTOR OF POLICE

SOUTH GATE POLICE STATION, MADURAI.

CR. NO.355/2016

.. RESPONDENT NO.1/COMPLAINANT

2 SENTHILKUMAR

.. RESPONDENTS NO.2/DEFACTO
COMPLAINANT

For Petitioner : M/S G.KARNAN Advocate

For Respondent : M/S.P.KANNITHEVAN Govt. Advocate for R1(Crl. Side)
M/s.R.Gandhi for R2

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 406 and 420 IPC, in Crime No.355 of 2016, on the file of the respondent police and hence, seeks anticipatory bail.

2.The case of the prosecution is that on 09.11.2014, the petitioner purchased 180 grams of gold jewels and ornaments worth about Rs.5,00,000/- from the de facto complainant and subsequently he did not pay the amount and cheated him. On complaint 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. Whatever the gold jewels he purchased, the petitioner paid the entire amount to the de facto complainant and there is no amount due.

4.The learned Government Advocate (Criminal side) submitted that the petitioner cheated the de facto complainant to the tune of Rs.5,00,000/- and the earlier anticipatory bail petition filed by the petitioner in Crl.O.P(MD)No.6477 of 2016 was dismissed by this Court vide order dated 22.04.2016 and there is no change of circumstance.



5. On the side of the second respondent/de facto complainant a counter affidavit has been filed. The learned counsel for the second respondent/de facto complainant has reiterated the averments made in the counter affidavit.

6. Considering the facts and circumstances of the case and also considering the serious nature of allegation levelled against the petitioner and there is no change of circumstance, this Court is not inclined to grant anticipatory bail to the petitioner and accordingly this petition is dismissed.

sd/-
20/06/2016

/ TRUE COPY /

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

TO

1 THE INSPECTOR OF POLICE, SOUTH GATE POLICE STATION, MADURAI.

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

+1. CC to M/S G.KARNAN Advocate SR.No.31642
+1cc to M/S.R.GANDHI, SR NO: 31628

smn
JA-PEK-SAR.I/24.6.2016/2P-5C

ORDER
IN
CRL OP(MD) No.8637 of 2016
Date :20/06/2016