



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

Wednesday, the Twenty Second day of June Two Thousand Sixteen

PRESENT

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

CRL OP (MD) No.9335 of 2016

A. SENTHIL THANDAVAN

... PETITIONER

Vs

STATE REB.BY
THE INSPECTOR OF POLICE
DEVAKOTTAI TOWN POLICE STATION,
SIVAGANGAI DISTRICT,
CR NO. 24/2016.

... RESPONDENTS

For Petitioner : M/S BABU RAJENDRAN Advocate

For Respondent : M/S.P.KANNITHEVAN Govt. Advocate (Crl. Side)

For Intervenor : MR.S.MUTHUKUMAR

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 420,448,294(b) and 506(ii) of IPC in Crime No.24 of 2016 on the file of the respondent police and hence, seeks anticipatory bail.

2. The case of the prosecution is that the petitioner and defacto complainant entered into an agreement for the formation of water purification Centre and that the defcto complainant has given a sum of Rs.24,91,550/- to the petitioner for the supply of machineries. The petitioner supplied sub-standard machineries and cheated the defacto complainant. On complaint, a case has been registered against the petitioners.

3. The learned counsel appearing for the petitioner submitted that the petitioner is innocent and he has not committed any offence as alleged by the prosecution. He further submitted that the petitioner and defacto complainant entered into a machinery purchase agreement on 09.09.2011. As per the agreement, he supplied the standard machineries and materials and the machineries supplied are not sub-standard quantity. After three years of supply, the defacto complainant filed C.C.No.13 of 2014 before the District Consumer Dispute Redressal Forum, Sivagangai behind back of the petitioner by



furnishing false address of the petitioner and obtained decree. Subsequently, the defacto complainant has given a present complaint.

4. The learned Government Advocate (Crl.Side) submitted that the investigation of the case is pending.

5. Considering the facts and circumstances of the case and also considering the fact that the petitioner supplied the machineries as per agreement dated 09.09.2011 and the petitioner filed C.C.No.13 of 2014 before the District Consumer Dispute Redressal Forum, Sivagangai and obtained decree from the District Consumer Dispute Redressal Forum, Sivagangai for the loss suffered by him, 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, Devakottai 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 am until further orders. 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/-
22/06/2016

/ TRUE COPY /

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

TO

- 1 THE JUDICIAL MAGISTRATE, DEVAKOTTAI.
- 2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE, SIVAGANGAI DISTRICT.
- 3 THE INSPECTOR OF POLICE DEVAKOTTAI TOWN POLICE STATION,
SIVAGANGAI DISTRICT,
- 4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRS HIGH COURT, MADURAI.

+1. CC to M/S BABU RAJENDRAN Advocate SR.No.32126

ORDER

IN

CRL OP(MD) No.9335 of 2016

Date :22/06/2016