

IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Wednesday, the Fifteenth day of March Two Thousand Seventeen

PRESENT

The Hon`ble Mr Justice S. BASKARAN

CRIMINAL ORIGINAL PETITION No.2331 of 2017

RAVI [PETITIONER / ACCUSED]

Vs

THE INSPECTOR OF POLICE, [RESPONDENT]
VALASARAVAKKAM POLICE STATION,
THIRUVALLUR
CR.NO.870 OF 2016

For Petitioner : M/S.A.M.RAHAMATH ALI Advocate

For Respondent : MR. R. SEKAR, Govt. Advocate (Crl. Side)

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

ORDER : The Court Made the following order :-

The petitioner, who apprehend arrest at the hands of the respondent police for the alleged offences under Section 406 and 420 IPC in Crime No.870 of 2016, has filed this petition, seeking anticipatory bail.

2. The case of the prosecution is that the petitioner was partner with the defacto complainant doing cracker business and the petitioner has mis-appropriated the funds and taken away the crackers and caused huge loss to the defacto complainant.

3. The learned counsel for the petitioner submitted that the averments made by the defacto complainant is totally false and no such occurrence took place.

4. The learned Government Advocate (Crl. Side) submits that there is a dispute between the petitioner and the defacto complainant in the cracker business, regarding distribution of crackers.

5. Considering the facts and circumstances of the case, and further taking note of the fact that the petitioner and defacto complainant were carrying out cracker business and some misunderstanding arose between them and subsequently dispute arose between them, this Court is inclined to grant the relief of anticipatory bail to the petitioner.

6. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on their appearance before the learned Magistrate concerned within a period of three weeks from the date of receipt of a copy of this order, subject to the following conditions:

(i) the petitioner shall deposit a sum of Rs.3,00,000/- (Rupees Three lakhs Only) to the credit of Crime No.870 of 2016 on the file of the respondent police within a period of 3 weeks, from the date of receipt of a copy of this order.

(ii) the petitioner shall execute a separate bond for a sum of Rs.10,000/- (Rupees Ten thousand only) with two sureties for a like sum to the satisfaction of the learned Judicial Magistrate-I, Poonamallee or to the satisfaction of the respondent police or the police officer who intends to arrest;

(iii) the petitioner shall appear before the respondent police daily at 10.30 a.m. for a period of three weeks and thereafter, as and when required for interrogation.

-sd/-

15/03/2017

This order, on being produced, be punctually observed and carried into execution by all concerned

TRUE COPY

Sub-Assistant Registrar (Statistics/C.S.)
High Court, Madras - 600 104.

TO

1 THE JUDICIAL MAGISTRATE-1,
POONAMALLEE.

2 THE CHIEF JUDICIAL MAGISTRATE
TIRUVALLUR DISTRICT. [FOR INFORMATION]

3 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

4 THE INSPECTOR OF POLICE,
VALASARAVAKKAM POLICE STATION, THIRUVALLUR

+1CC to M/S.A.M.RAHAMATH ALI Advocate on payment of
necessary charges SR.NO. 4955

CRL OP.2331/2017

Date :15/03/2017

EGR 22/03/2017