



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

Tuesday, the Third day of October Two Thousand Seventeen

PRESENT

The Hon`ble Mr.Justice M.DHANDAPANI

CRL OP(MD) No.1788 of 2017

1 AYYAVUTHEVAR ALIAS KUMARA THEVAR
2 BETHU
3 POTHUMANI ALIAS POTHU KANI
4 PANDI
5 RANI ALAIS INDHURANI

... PETITIONERS / A1,2,4,8 & 9

Vs

THE STATE THROUGH
THE SUB INSPECTOR OF POLICE
SAPTUR POLICE STATION,
CR NO. 9/2017.

... RESPONDENT / COMPLAINANT

For Petitioner : MR.E.R.GURU BALACHANDRAN Advocate

For Respondent : Mr.K.ANBARASAN, Govt. Advocate (Crl. Side)

For Intervenor : Mr.M.JEGADEESH PANDIAN, Advocate

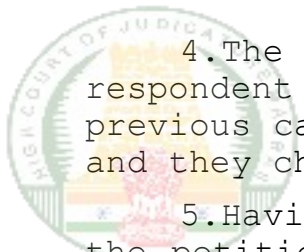
PETITION FOR ANTICIPATORY BAIL Under Sec. 438 Cr.P.C.

ORDER : The Court Made the following order :-

The petitioners, who apprehend arrest at the hands of the respondent Police for the offence punishable under Sections 406, 420 and 506 of IPC in Crime No.9 of 2017 on the file of the respondent Police, seek anticipatory bail.

2.The case of the prosecution is that the de facto complainant had paid Rs.6,50,000/- to the first accused to purchase the gold at cheaper rate but the first accused neither give any gold to the de facto complainant not return the money to him. When the defacto complainant demanded the first accused to give gold or return the money, all the accused threatened the de facto complainant with dire consequences.

3.The learned counsel for the petitioners submitted that the petitioners are innocent persons and they have been falsely implicated in this case. He further submitted that the alleged date of occurrence is 27.12.2016 but the complaint was made only on 07.01.2017. The delay of 11 days and that itself shows that the de facto complainant lodged a false complaint.



4.The learned Government Advocate (Crl.side) appearing for the respondent Police on instructions would submit that there are 22 previous cases against the petitioners and they are history-sheeters and they cheated several persons.

5.Having regard to the nature of allegation levelled against the petitioners and considering the submissions made by the learned Government Advocate (Crl.side), I am not inclined to grant anticipatory bail to the petitioners. Accordingly, this Criminal Original Petition for anticipatory bail is **dismissed**. Interim order already granted on 22.06.2017 shall stand vacated.

sd/-
03/10/2017

/ TRUE COPY /

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

TO

- 1 THE SUB INSPECTOR OF POLICE
SAPTUR POLICE STATION,
- 2 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI

+1. CC to M/S.E.R.GURU BALACHANDRAN Advocate SR.No.32054

+1 cc TO Mr.M.JEGADEESH PANDIAN, Advocate, Sr.No.32050

JAM/06.10.17/RR-BS/SAR 2/ 2p-5c

ORDER
IN
CRL OP (MD) No.1788 of 2017
Date :03/10/2017