



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

Friday, the Twenty Fourth day of March Two Thousand Seventeen

PRESENT

WEB COPY

The Hon`ble Mrs.Justice J.NISHA BANU

CRL OP(MD) No.3467 of 2017

S.SETHURAMAN, ... PETITIONER/ACCUSED RANK NOT KNOWN

Vs

STATE REP BY
THE INSPECTOR OF POLICE,
KARAIKUDI NORTH POLICE STATION,
SIVAGANGAI DISTRICT.

(CRIME NO.NOT KNOWN OF 2017) ... RESPONDENT / COMPLAINANT

For Petitioner : M/S.T.LENIN KUMAR Advocate

For Respondent : M/S.S.PRABHA, Government Advocate(Criminal Side),

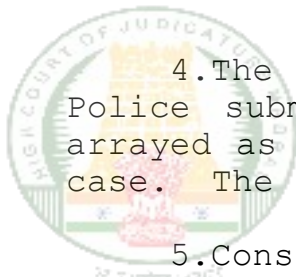
PETITION FOR ANTICIPATORY BAIL Under Sec. 438 Cr.P.C.

ORDER : The Court Made the following order :-

The petitioner, who is arrayed as A2, in Crime No.258 of 2017 on the file of the respondent police, apprehends arrest at the hands of the respondent police for the alleged offences punishable under Sections 120(b), 406, 468, and 420 IPC and hence, seeks anticipatory bail.

2.Heard the learned counsel for the petitioner and the learned Government Advocate (Crl. Side) for the respondent/State.

3.The learned counsel for the petitioner submitted that it is alleged in the complaint that A1, who was the driver of the defacto complainant, by forging the documents, sold his car to one Syed Amrudeen. The petitioner is a finance agent. As A1 was having original R.C. Book and Transfer forms, the finance company came forward to finance Rs.3 lakhs. Since A1 did not pay single paisa either towards principal amount or interest, the petitioner insisted to settle the entire amount, for which A1 asked to return the original R.C. Book which has been kept by the finance company as security. Believing the words of A1, they returned the R.C. Book to A1 and after selling the vehicle to one Syed Amrudden, A1 repaid a sum of Rs.3,35,000/- towards the loan to the finance company. At this juncture, the respondent Police summoned the petitioner based on the complaint of the complainant. The petitioner also appeared before the respondent Police and produced all the documents pertaining to the above transaction. However, the respondent Police included his name in the FIR as A2. The petitioner is innocent. He has not committed any offence as alleged in the complaint. He would co-operate with enquiry.



4.The learned Government Advocate appearing for the respondent / Police submitted that the driver of the defacto complainant is arrayed as A1. The petitioner is arrayed as A2. He has no previous case. The investigation is pending.

5.Considering the facts and circumstances of the case and also considering the nature of the allegations raised against the petitioner/A2, 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, Karaikudi 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 conditions that the petitioner shall appear before the respondent police 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/-
24/03/2017

/ TRUE COPY /

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

TO

- 1 THE JUDICIAL MAGISTRATE
KARAIKUDI
 - 2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
SIVAGANGAI DISTRICT
 - 3 THE INSPECTOR OF POLICE,
KARAIKUDI NORTH POLICE STATION,
SIVAGANGAI DISTRICT.
 - 4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI
- +1. CC to M/S.T.LENIN KUMAR Advocate SR.No.17558

SVA/CM/MSA/SAR4/24.03.2017/2P/6C