

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

Monday, the Sixth day of February Two Thousand Seventeen

PRESENT

The Hon`ble Mr.Justice A.M.BASHEER AHAMED

CRL OP(MD) No.465 of 2017

1 S.SUDALAIMUTHU

... PETITIONER / ACCUSED NO.2

Vs

THE STATE REPBY
THE INSPECTOR OF POLICE,
DISTRICT CRIME BRANCH,
THENI DISTRICT.
(CRIME NO.2 OF 2017)

... RESPONDENT / COMPLAINANT

For Petitioner : M/S.M.K.SEKHAR Advocate

For Respondent : P.KANDASAMY Govt. Advocate (Crl. Side)

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

ORDER : The Court Made the following order :-

The petitioner, who apprehends arrest at the hands of the respondent police for the alleged offence punishable under Sections 420, 406 and 506(i) of IPC., in Crime No.2 of 2017, seeks anticipatory bail.

2. The case of the prosecution is that A1 in this case has introduced the petitioner, who promised the depositors todo service by receiving amounts from foreign Countries and the petitioner has received a sum of Rs.4,00,000/- with all documents, but he has not paid the amount, as promised by him. The respondent is receiving several complaints against the petitioner herein for misappropriation of Rs.31,00,000/- so far and the investigation is still pending.

2. The learned counsel appearing for the petitioner states that the petitioner is an innocent and he has not committed an offence, as alleged by the defacto complainant. He would further submit that the defacto complainant has received the amounts, as loan from the petitioner and in order to escape from the liability, he had given the false complaint against the petitioner herein.

3. The learned Government Advocate (crl.side) appearing for the respondent would submit that totally there are two accused in this

case He strongly objects to grant anticipatory bail to the petitioner, since custodial interrogation of the petitioner is necessary in this case.

4. Considering the above facts and circumstances and also the respondent receiving somany complaints from others against the petitioner herein for swindling of some of Rs.31,00,000/- and A1 is still absconding in this case and also taking into the submission of the learned Government Advocate (crl.side) that custodial interrogation of the petitioner is necessary in this case, this Court is not inclined to grant anticipatory bail to the petitioner. Hence, this petition stands dismissed.

sd/-
06/02/2017

/ TRUE COPY /

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

TO

1.THE INSPECTOR OF POLICE,
DISTRICT CRIME BRANCH,
THENI DISTRICT.

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

MAS/RSK/SAR2:10.02.2017:2P/3C

ORDER
IN
CRL OP(MD) No.465 of 2017
Date :06/02/2017

WEB COPY