

IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Friday, the Eighth day of June Two Thousand Eighteen

PRESENT

The Hon`ble Mr Justice RMT. TEEKAA RAMAN

CRIMINAL ORIGINAL PETITION No.14764 of 2018

S.MANO HAR

[PETITIONER / ACCUSED]

Vs

THE INSPECTOR OF POLICE, [RESPONDENT]
E-4, ABIRAMAPURAM POLICE STATION,
CHENNAI. CR.NO.NOT KNOWN OF 2018.

For Petitioner : M/S.R.GANESH KUMAR Advocate

For Respondent : MR.R.SURYA PRAKASH, GOVERNMENT 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 for the alleged offence under Section 420 of I.P.C in Cr.No.not known of 2018 on the file of the respondent Police, seeks anticipatory bail.

2. Heard both sides.

3. The learned counsel for the petitioner submitted that the petitioner being involved in the business of silver and other articles, had purchased silver items from M/s.D.R.Ranka & Bros., to the tune of about Rs.15 Lakhs and repaid only Rs.12 Lakhs and the cheques issued in lieu of the dues got dishonored and when demanded the balance payment of Rs.3 lakhs, the petitioner is alleged to have cheated M/s.D.R.Ranka & Bros and hence, the present complaint is lodged.

4. The learned counsel for the petitioner has submitted that as against Rs.15 lakhs purchased, the petitioner has paid Rs.12 lakhs and balance of Rs.3 lakhs is kept pending. However, the amount is a matter for civil dispute.

5. The learned Government Advocate (Crl.side) has submitted that the FIR has been filed. However, the matter is in C.S.R.No.354 of 2018 stage.

6. Heard both sides and perused the records.

7. Taking into consideration the factual position that the petitioner is a businessman involved in the trading of silver and allied metals, in the course of the business, the petitioner had business transactions with M/s.D.R.Ranka and Bros, having office at Alwarpet. The petitioner had purchased materials to the value of Rs.15 Lakhs from them in the months of February and March 2018, and out of the total amount of Rs.15 lakhs, he had paid about Rs.12 Lakhs. Being so, the last lot of goods that had been supplied to him by M/s.D.R.Ranka & Bros was found to be defective. Therefore, he had got constraints from his buyers to whom he had sold the goods.

8. Taking into account the facts and circumstances of the case, this Court is inclined to grant anticipatory bail to the petitioners subject to the following conditions:

(i) It is ordered that the petitioners shall be released on bail, in the event of arrest or on their appearance before the learned XXIII Metropolitan Magistrate at Saidapet, Chennai, within a period of two weeks from the date of receipt of a copy of this order, on condition that each of them 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 arresting Officer or to the satisfaction of the learned Magistrate concerned and on further condition that they shall report before the respondent police daily at 10.30 a.m., for a period of two weeks and thereafter, as and when required for interrogation.

-sd/-
08/06/2018

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 XXIII METROPOLITAN
MAGISTRATE, SAIDAPET, CHENNAI.

2 THE CHIEF METROPOLITAN
MAGISTRATE, EGMORE, CHENNAI.
[FOR INFORMATION]

3 THE INSPECTOR OF POLICE,
E-4, ABIRAMAPURAM POLICE STATION,
CHENNAI.

4 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

+1CC to M/S.R.GANESH KUMAR Advocate on payment of necessary
charges in SR.NO. 10288

CRL OP.14764/2018

Date :08/06/2018

MLT-11/06/2018