



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

Thursday, the Nineteenth day of April Two Thousand Eighteen

WEB COPY

PRESENT

The Hon`ble Mr.Justice G.R.SWAMINATHAN

CRL OP(MD) No.5993 of 2018

DHARMALINGAM,

... PETITIONER/ACCUSED No.1

Vs

STATE REP BY
THE INSPECTOR OF POLICE,
BOOTHAPANDI POLICE STATION,
KANYAKUMARI DISTRICT

... RESPONDENT / COMPLAINANT

For Petitioner : M/S.A.GOPAL Advocate

For Respondent : MR.A.ROBINSON, Govt. Advocate (Crl. Side)

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

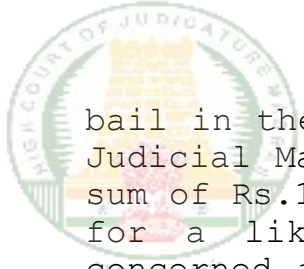
ORDER : The Court Made the following order :-

The petitioner apprehending arrest at the hands of the respondent police for the offences punishable under Sections 406, 420, 294(b) and 506(i) IPC, in Crime No.372 of 2017, seeks anticipatory bail.

2.The case of the prosecution is that the petitioner has insisted the de-facto complainant to sell her property and give money to the second accused, viz., Murugan, for getting interest. Believing the words of the petitioner, the de-facto complainant sold her property for Rs.14 lakhs and gave the money to the second accused. After getting the money from the de-facto complainant, the second accused gave interest for few months and thereafter, he had not given any interest. Therefore, the de-facto complainant approached the second accused to return the money, but, he refused to do so. On complaint, a case has been registered against the petitioner and other accused.

3.Today, the petitioner has filed an affidavit of undertaking stating that he has not paid any amount to the de-facto complainant and that he has no claim against the de-facto complainant.

4.Recording the said affidavit of undertaking, 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, Boothapandi, 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 condition that the petitioner shall appear before the respondent police as and when required for interrogation. The petitioner shall comply with the conditions stipulated under Section 438 Cr.P.C. Scrupulously.

5.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 shall stand dismissed.

sd/-
19/04/2018

/ TRUE COPY /

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

TO

- 1 THE JUDICIAL MAGISTRATE,
BOOTHAPANDI
- 2 THE CHIEF JUDICIAL MAGISTRATE
KANYAKUMARI DISTRICT AT NAGERCOIL
- 3 THE INSPECTOR OF POLICE,
BOOTHAPANDI POLICE STATION,
KANYAKUMARI DISTRICT
- 4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI

+1. CC to M/S.A.GOPAL Advocate SR.No.6620

ORDER
IN
CRL OP(MD) No.5993 of 2018
Date :19/04/2018

SMA/PMI/GSR/23.04.2018:2P/6C