



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

Tuesday, the Second day of January Two Thousand Eighteen

PRESENT

The Hon`ble Mr.Justice R.PONGIAPPAN

CRL OP(MD) No.15646 of 2017

PRASANTH

... PETITIONER / ACCUSED
RANK NOT KNOWN

Vs

STATE REP.BY
THE SUB-INSPECTOR OF POLICE
KANNIVADI POLICE STATION,
DINDIGUL DISTRICT.
CRIME NO.NOT KNOWN/2017

... RESPONDENT / COMPLAINANT

For Petitioner : M/S.A.MITHUNCHAKRAVARTHI Advocate

For Respondent : MR.K.S.DURAI PANDIAN
Additional Public Prosecutor

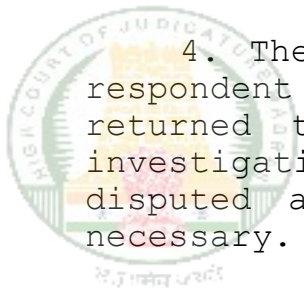
PETITION FOR ANTICIPATORY BAIL Under Sec. 438 Cr.P.C.

ORDER : The Court Made the following order :-

The petitioner, who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 408 and 477-A of IPC, in Crime No. Not Known of 2017, on the file of the respondent police seeks anticipatory bail.

2. The case of the prosecution is that the petitioner along with four other accused persons had received a sum of Rs.1,80,000/- from the defacto complainant by giving false promise for securing a job for him. Thereafter, the petitioner did not keep his promise to secure a job for the defacto complainant and did not return the amount. Hence, the defacto complainant lodged a complaint against the petitioner and other accused persons. Based on the Complaint, case has been registered for the above said offences.

3. The learned counsel for the petitioner submitted that the petitioner is an innocent person and he has not committed any offence as alleged by the prosecution. He further submitted that though the appointment order was issued to the petitioner, no reliable documents are produced in order to show his bonafide, hence, he is not able to get a job. Further he submitted that the petitioner is falsely implicated in this case and prays for anticipatory bail.



4. The learned Additional Public Prosecutor appearing for the respondent submitted that the petitioner neither secured a job nor returned the amount received from the defacto complainant and investigation is still pending. Hence, in order to recover the disputed amount from the petitioner, custodial interrogation is necessary. Hence, he prays for dismissal of this petition.

5. Considering the facts and circumstances of the case and also considering the submission made by the learned Additional Public Prosecutor that to recover the disputed amount, custodial interrogation is necessary, this Court is not inclined to grant anticipatory bail to the petitioner. Accordingly, the Criminal Original Petition is dismissed.

sd/-
02/01/2018

/ TRUE COPY /

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

pjl
TO

- 1 THE SUB-INSPECTOR OF POLICE
KANNIVADI POLICE STATION, DINDIGUL DISTRICT.
- 2 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

GJM/CM/VR/SAR-2-5.1.18-2P-3C

ORDER
IN
CRL OP(MD) No.15646 of 2017
Date :02/01/2018