



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

Thursday, the Third day of May Two Thousand Eighteen

PRESENT

The Hon`ble Mrs.Justice R.THARANI

CRL OP(MD) No.7567 of 2018

ESSKKI MUTHU

... PETITIONER/ACCUSED No.3

Vs

THE INSPECTOR OF POLICE
SIVAKASI EAST POLICE STATION,
VIRUDHUNAGAR DISTRICT,
IN CRIME NO.315 OF 2018

... RESPONDENT/COMPLAINANT

For Petitioner : M/S.S.SATHYA CHIDAMBARAM Advocate

For Respondent : MR.M.ASOKAN, 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 offence punishable under Section 420 of IPC in Crime No.315 of 2018 on the file of the respondent Police, seeks anticipatory bail.

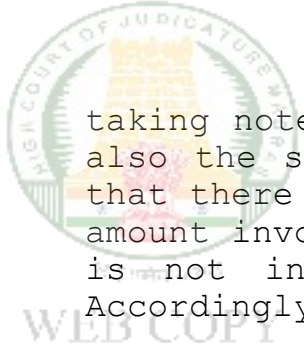
2.The case of the prosecution is that the petitioner along with A1 and A3 cheated the complainant and hence the case has been registered under section 420 of IPC.

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 and the petitioner is only a driver of A1 and there is no specific overt act against this petitioner and A2, who is the mother of A1, was already released on anticipatory bail and hence, prays for anticipatory bail.

4.The learned Government Advocate (Crl. side) appearing for the respondent Police, on instructions, would submit that A3 is involved in yet another cheating case in Crime No.238 of 2018 and the amount involved is Rs.25 lakhs, whereas in this case the amount involved is Rs.13 lakhs and raise objections to grant anticipatory bail. He would further submit that the investigation is still pending.

<https://hcservices.ecourts.gov.in/hcservices/>

5.Considering the facts and circumstances of the case and also



taking note of the fact that the investigation is still pending and also the submission of the learned Government Advocate (Crl. side) that there are two cases pending against the petitioner and that the amount involved is heavy and that A1 is still in custody, this Court is not inclined to grant anticipatory bail to the petitioner. Accordingly, this petition is dismissed.

sd/-
03/05/2018

/ TRUE COPY /

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

TO

- 1 THE INSPECTOR OF POLICE
SIVAKASI EAST POLICE STATION,
VIRUDHUNAGAR DISTRICT
- 2 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI

ORDER
IN
CRL OP(MD) No.7567 of 2018
Date :03/05/2018

SMA/CM/GSR/08.05.2018:2P/3C