



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

Friday, the Thirteenth day of July Two Thousand Eighteen

PRESENT

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

CRL OP(MD) No.11445 of 2018

RAMACHANDRAN

... PETITIONER / 2nd ACCUSED

Vs

THE STATE REPRESENTED BY
THE INSPECTOR OF POLICE,
THARUVAIKULAM POLICE STATION,
THOOTHUKUDI DISTRICT.
Crime No .28 of 2011

... RESPONDENT / COMPLAINANT

For Petitioner : Mr.A.KARTHIK Advocate

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

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

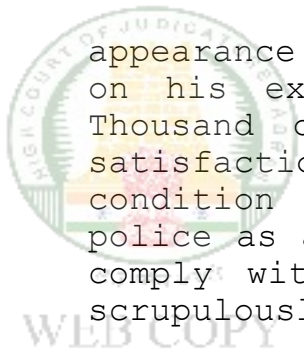
ORDER : The Court Made the following order :-

The petitioner/Accused No.2, apprehending arrest at the hands of the respondent police for the offences punishable under Sections 409, 420, 466 & 506(i) of IPC and Section 3(1)(X) of SC/ST Act @ under Sections 409, 420 and 466 of IPC, in Crime No.28 of 2011, seeks anticipatory bail.

2.Heard the learned counsel for the petitioner and the learned Government Advocate (Crl.Side) for the respondent.

3.It appears that the primary allegations are only against the first accused Shiva. The defacto complainant had remitted a sum of Rs.6,58,000/- in the account of KCS motors that is operated only by Shiva. The petitioner herein was a Manager. Though the provisions of SC/ST Act has been made to apply to the complaint, this Court is not having any doubt, that the defacto complainant was cheated and the provisions of SC/ST Act are not attracted in this case.

4.Therefore, taking into account the facts and circumstances, this Court is inclined to grant anticipatory bail to the petitioner with certain other 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, Vilathikulam 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/-
13/07/2018

/ TRUE COPY /

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

TO

- 1.THE JUDICIAL MAGISTRATE,
VILATHIKULAM ,THOOTHUKUDI DISTRICT.
- 2.THE CHIEF JUDICIAL MAGISTRATE,
THOOTHUKUDI DISTRICT.
- 3.THE INSPECTOR OF POLICE,
THARUVAIKULAM POLICE STATION, THOOTHUKUDI DISTRICT.
- 4.THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.

copy to:

THE SECTION OFFICER,CRIMINAL SECTION,
MADURAI BENCEH OF MADRAS HIGH Court,MADURAI.

+1. CC to Mr.A.KARTHIK Advocate SR.No.12969

ORDER
IN
CRL OP(MD) No.11445 of 2018
Date :13/07/2018

TK/MMS/ASVM/16.07.2018/2P-7C