



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

Wednesday, the Twenty Fifth day of July Two Thousand and Eighteen

WEB COPY

PRESENT

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

CRL MP (MD) No.5501 of 2018
IN
CRL OP (MD) No.11014 of 2018

K. KANNUCHAMY ... PETITIONER / DEFACTO COMPLAINANT

Vs

1.KESAVAN KOVI

2.THIYAGARAJAN

3.AMALRAJ

4.RAMESH

5.RAMESHKUMAR

6.PONNAIYAN ... RESPONDENTS 1 TO 6 / PETITIONERS

7.STATE REPRESENTED BY,
THE INSPECTOR OF POLICE
DISTRICT CRIME BRANCH,
THANJAVUR,
THANJAVUR DISTRICT.
(CRIME NO.7 OF 2018)

... 7th RESPONDENT / COMPLAINANT

Petition praying that in the circumstances stated therein and in the petition filed therewith the High Court will be pleased to cancel the Anticipatory Bail granted to the respondents 1 to 6 by order dated 03.07.2018 in Crl.OP(MD)No. 11014/2018

Order : This petition coming on for orders upon perusing the petition filed in support thereof and upon hearing the arguments of M/S.P.KRISHNASAMY, Advocate for the petitioner and of Mr.B.JAMEEL ARASU, Advocate for the R1 to R6, and Mr.A.ROBINSON, Govt. Advocate (Crl.Side)for the 7th Respondent, the court made the following order:-

The Criminal Miscellaneous Petition has been filed to cancel the anticipatory bail granted in Crl.O.P(MD).No.11014 of 2018, dated 03.07.2018.



2.The Court is of the view that a case of partnership dispute has been given in criminal profile. The defacto complainant had applied for cancellation of the said anticipatory bail. It is admitted that the defacto complainant and the accused were running a real estate on partnership basis. The defacto complainant had invested a sum of Rs.7,00,000/- (Rupees seven lakhs only). It is not in dispute that a sum of Rs.23,00,000 (Rupees twenty three lakhs only) was paid to him by way of returns. It appears that the said amount was paid in instalments.

3.The case of the defacto complainant is that he has to be paid much more. This has to be resolved by the competent Civil Court by regular suit for accounting. The petitioner cannot achieve his object in this proceeding. Finding no merit for cancellation of the anticipatory bail, this Criminal Miscellaneous Petition stands dismissed.

sd/-
25/07/2018

/ TRUE COPY /

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

TO

1.THE JUDICIAL MAGISTRATE NO.II,
KUMBAKONAM, THANJAVUR DISTRICT.

2.DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
THANJAVUR AT KUMBAKONAM.

3.THE INSPECTOR OF POLICE,
DISTRICT CRIME BRANCH,
THANJAVUR,
THANJAVUR DISTRICT.

4.THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.

+1. C.C. to Mr.B.JAMEEL ARASU, Advocate, SR.No.14098.

ORDER
IN
CRL MP (MD) No.5501 of 2018
IN
CRL OP (MD) No.11014 of 2018
Date :25/07/2018