



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

Friday, the Third day of August Two Thousand Eighteen

PRESENT

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

CRL OP(MD) No.13004 of 2018

G.P.DHARANIKUMAR

... PETITIONER / SOLE ACCUSED

Vs

STATE REP BY
THE INSPECTOR OF POLICE,
KOVILPATTI EAST POLICE STATION,
THOOTHUKUDI DISTRICT.
IN CRIME NO.86 OF 2018

... RESPONDENT / COMPLAINANT

For Petitioner : Mr.V.MALAIYENDRAN Advocate

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

For Intervenor : Mr.A.S.VAIGUNTTH Advocate

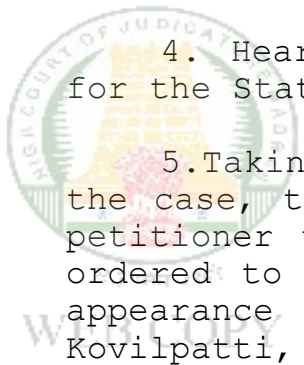
PETITION FOR ANTICIPATORY BAIL Under Sec. 438 Cr.P.C.

ORDER : The Court Made the following order :-

The petitioner, who is arrayed as sole accused, apprehending arrest at the hands of the respondent police for the offences punishable under Sections 406, 420, 294(b), 506(i) IPC in Crime No.86 of 2018, on the file of the respondent police, seeks anticipatory bail.

2.It is seen that the petitioner had made supplies to a firm, in which the wife of the defacto complainant is having interest. It is alleged by the petitioner that goods worth about Rs.28,00,000/- has been supplied to the said firm. They had so far received only a sum of Rs.15 lakhs and the petitioner still has to get a sum of Rs.13,00,000/- as balance amount. The petitioner is making demands on the defacto complainant to settle the balance amount.

3.It appears that the defacto complainant now has come out with a different version stating that since the petitioner herein had promised to procure Government contract, the defacto complainant made payments to the petitioner and since the promise was not kept the defacto complainant has made a complaint against the petitioner herein. Since there has been a civil transaction between the petitioner and the defacto complainant, this Court is of the view that custodial interrogation is not warranted.



4. Heard the learned Government Advocate (Crl.side) appearing for the State and the defacto complainant in person.

5. Taking into consideration of the facts and circumstances of the case, 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 Court No.1, Kovilpatti, and on his executing a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) with two sureties 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.

6. The petitioner shall appear before the concerned Magistrate within a period of 15 days from the date on which the order copy is made ready, failing which, the petition for anticipatory bail shall stand dismissed.

sd/-
03/08/2018

/ TRUE COPY /

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

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TO

- 1 THE JUDICIAL MAGISTRATE NO.1,
KOVILPATTI.
- 2 THE CHIEF JUDICIAL MAGISTRATE,
THOOTHUKUDI.
- 3 THE INSPECTOR OF POLICE
KOVILPATTI EAST POLICE STATION,
THOOTHUKUDI DISTRICT.
- 4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.

+1. CC to M/S.V.MALAIYENDRAN Advocate SR.No.15091
PS/MMS/SAR-4:16/08/2018:2P/6C

ORDER
IN
CRL OP(MD) No.13004 of 2018
Date :03/08/2018