



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

Thursday, the Second day of August Two Thousand and Eighteen

PRESENT

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

CRL OP(MD) No.13159 of 2018

SUDHAKAR

... PETITIONER/ACCUSED RANK NOT KNOWN

Vs

STATE REP.BY,
THE SUB INSPECTOR OF POLICE,
DISTRICT CRIME BRANCH,
TUTICORIN DISTRICT.
CRIME NO.NOT KNOWN OF 2018

... RESPONDENT/COMPLAINANT

For Petitioner : MR.A.D.GANESHAMOORTHY, Advocate

For Respondent : MR.A.ROBINSON, Government Advocate (Crl.Side)

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

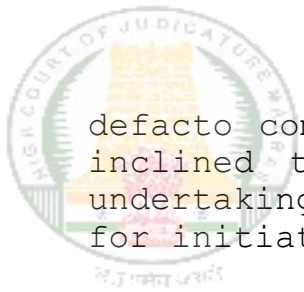
ORDER : The Court Made the following order :-

The petitioner apprehending arrest at the hands of the respondent police for the offence punishable under Section 420 I.P.C in Crime No.Not known of 2018, seeks anticipatory bail.

2.Heard the learned counsel appearing for the petitioner and the learned Government Advocate (Criminal side) appearing for the respondent.

3.It is seen that till date no first information report has been filed. The petitioner is said to have filled up the fuel from the defacto complainant's fuel centre. According to the defacto complainant, the petitioner owes a sum of Rs.8,37,420/- According to the petitioner, he has to pay only a sum of Rs.5,00,000/-. The petitioner undertakes to pay the sum of Rs.5,00,000/-(Rupees five lakh only) within a period of four months. This Court is of the view that if the defacto complainant wants the petitioner to pay more than the aforesaid amount, he can file a civil suit against the petitioner.

4.Recording the undertaking given by the petitioner that he would pay a sum of Rs.5,00,000/- (Rupees five lakh only) to the



defacto complainant within a period of four months, this Court is inclined to grant anticipatory bail to the petitioner. If this undertaking is breached, the defacto complainant can move this Court for initiating contempt of Court proceedings against the petitioner.

5. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on his appearance before the learned Judicial Magistrate No.III, Tuticorin District 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.

6. 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/-
02/08/2018

/ TRUE COPY /

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

TO

1. THE JUDICIAL MAGISTRATE NO.III,
TUTICORIN DISTRICT.

2. DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
TUTICORIN.

3. THE SUB INSPECTOR OF POLICE,
DISTRICT CRIME BRANCH,
TUTICORIN DISTRICT.

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

+1. CC to M/S.A.D.GANESHAMOORTHY, Advocate, SR.No.15102.

ORDER
IN
CRL OP(MD) No.13159 of 2018
Date : 02/08/2018

msa

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

RAM/JC/SAR 4/11.08.2018/2P/6C