



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

Thursday, the Twenty Seventh day of December Two Thousand Eighteen

WEB COPY

PRESENT

The Hon`ble Mr Justice B.PUGALENDHI

CRL OP(MD) No.22926 of 2018

1.MUTHURAJ

2 KANTHESWARI @ EASWARI

... PETITIONERS / ACCUSED NOS.1&2

Vs

STATE THROUGH

THE INSPECTOR OF POLICE,
ALL WOMEN POLICE STATION,
OTTANCHATHIRAM,
DINDIGUL DISTRICT.

(IN CRIME NO. 20 OF 2018)

... RESPONDENT / COMPLAINANT

For Petitioners : MR.R.VENKATESHWARAN Advocate

For Respondent : MR.K.SUYAMBULINGA BHARATHI,
Government Advocate (Crl. Side)

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

ORDER : The Court Made the following order :-

The petitioners, who apprehend arrest at the hands of the respondent police for the alleged offences punishable under Sections 417, 420, 294(b), 506(i) IPC and Section 4 of TNPHW Act in Crime No.20 of 2018 on the file of the respondent police, seek anticipatory bail.

2.The case of the prosecution is that the first petitioner / A1 made a false promise to marry the defacto complainant and also received a sum of Rs.5,00,000/- from the defacto complainant. Thereafter, the defacto complainant came to know that the first petitioner / A1 has already married the second petitioner / A2 and also having a child. Regarding the same, when the defacto complainant asked the petitioners to return the money, which was given by the defacto complainant, the petitioners threatened the defacto complainant with dire consequences.

3.The learned counsel for the petitioners would submit that the said case is entirely fabricated one and the petitioners have no nexus in the alleged crime and they are innocent and they have not



committed any offence as alleged in the FIR. Hence, he seeks anticipatory bail.

4. The learned Government Advocate [Criminal Side] opposes the grant of Anticipatory Bail stating that it is a case of cheating and the petitioners had threatened the defacto complainant with dire consequences, after receiving money.

5. Considering the facts and circumstances of the case and also taking into consideration of the fact that the dispute is not related to between the petitioners and the defacto complainant and originally, the dispute is between the petitioners and others, who made several troubles to the first petitioner / A1 to vacate his new shop, this Court is inclined to grant Anticipatory Bail to the petitioners.

6. Accordingly, the petitioners are ordered to be released on bail in the event of arrest or on their appearance before the learned Judicial Magistrate, Ottanchathiram and on their executing a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) each with two sureties each for a like sum to the satisfaction of the learned Magistrate concerned and on further condition that the petitioners shall appear before the respondent police daily at 10.30 a.m., until further orders. The petitioners shall comply with the conditions stipulated under Section 438 Cr.P.C. scrupulously.

7. The petitioners 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/-
27/12/2018

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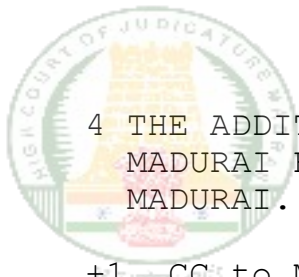
Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

TO

1. THE JUDICIAL MAGISTRATE,
OTTANCHATHIRAM.

2. DO THRO' THE CHIEF JUDICIAL MAGISTRATE,
DINDIGUL DISTRICT.

3. THE INSPECTOR OF POLICE
ALL WOMEN POLICE STATION,
OTTANCHATHIRAM,
DINDIGUL DISTRICT.



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

+1. CC to MR.R.VENKATESHWARAN Advocate SR.No.24108

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ORDER

IN

CRL OP (MD) No.22926 of 2018

Date :27/12/2018

AE/JC/SAR4/03.01.2019/3P/6C