



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

Thursday, the Twenty Seventh day of December Two Thousand Eighteen

PRESENT

The Hon`ble Mr Justice B.PUGALENDHI

CRL OP(MD) No.22994 of 2018

POMMAIAN

... PETITIONER / ACCUSED No. 2

Vs

STATE REPRESENTED BY,
THE INSPECTOR OF POLICE
DISTRICT CRIME BRANCH,
THENI DISTRICT,
(CRIME NO.60/2018)

... RESPONDENT / COMPLAINANT

For Petitioner : MR.R.PON KARTHIKEYAN 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 :-

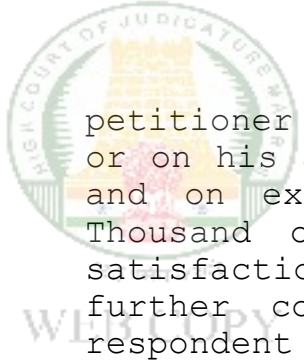
The petitioner, who apprehends arrest at the hands of the respondent police for the alleged offences punishable under Sections 406, 420, 506(i) and 120(b) IPC in Crime No.60 of 2018 on the file of the respondent police, seeks anticipatory bail.

2.The defacto complainant had parted with certain amount. Non-repayment of the amount, the present complaint has been lodged. The defacto complainant has lodged the complaint as against this petitioner and the bank officials in order to prevent the bank officials from initiating proceedings under the SARFAESI Act. The bank officials have been arrayed as accused.

3.Heard the learned counsel appearing for the petitioner and the learned Government Advocate [Criminal Side] for the respondent State.

4.The learned Government Advocate [Criminal Side] opposes the grant of Anticipatory Bail to the petitioner.

5.Considering the fact and circumstances of the case and that the complaint itself was lodged, according to the learned counsel for the petitioner, in order to prevent the bank officials from initiating proceedings under SARFAESI Act. This Court is inclined to grant Anticipatory Bail to the petitioner, accordingly, the



petitioner is ordered to be released on bail in the event of arrest or on his appearance before the learned Judicial Magistrate, Theni, and on executing a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) with two sureties each for a likesum to the satisfaction of the learned Judicial 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/-
27/12/2018

/ TRUE COPY /

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

TO

- 1 THE JUDICIAL MAGISTRATE, THENI
- 2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE
THENI
- 3 THE INSPECTOR OF POLICE
DISTRICT CRIME BRANCH,
THENI DISTRICT,
- 4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI

+1. CC to MR.R.PON KARTHIKEYAN Advocate SR.No.24138

ORDER
IN
CRL OP(MD) No.22994 of 2018
Date :27/12/2018

MSI/JC/SAR-III/03.01.2019-2P/6C