



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

Monday, the Tenth day of September Two Thousand Eighteen

WEB COPY

PRESENT

The Hon`ble Mr.Justice G.K.ILANTHIRAIYAN

CRL OP(MD) No.15771 of 2018

AYYAPPAN

... PETITIONER / ACCUSED NO.1

Vs

1 THE DEPUTY SUPERINTENDENT OF POLICE,
THENI DISTRICT.

2 THS STATE REP.BY
THE INSPECTOR OF POLICE
PALANICHETTIPATTI POLICE STATION,
THENI DISTRICT.
(CRIME NO.444/2018)

...RESPONDENT/COMPLAINANT

3 RAJESWARI

... 2nd RESPONDENT / DE FACTO COMPLAINANT

For Petitioner : Mr.C.JEGANATHAN Advocate FOR VEERA ASSOCIATES

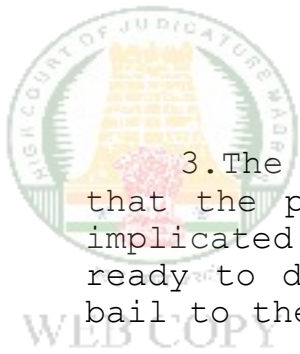
For Respondent : Mr.V.NEELAKANDAN, Additional Public Prosecutor.

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 offences punishable under Sections 120(b), 406, 420, 294(b), 323, 506(ii) I.P.C and Section 4 of Tamil Nadu Women Harassment Act r/w 3(i)(r), 3(i)(s), 3(2)(va) of SC/ST (POA) Act, in Crime No.444 of 2018, seeks anticipatory bail.

2.The case of the prosecution is that it is a case of job racketing. The defacto complainant approached the petitioner to get some job abroad in catering field for her son. After believing the words of the petitioner, the defacto complainant paid a sum of Rs.1,66,000/-. But, he failed to arrange the job for her son. When the same was questioned by the defacto complainant, the petitioner issued two cheques to the defacto complainant one for a sum of Rs.50,000/- and another for a sum of Rs.68,000/-. The first cheque for Rs.50,000/- was encashed and another cheque for Rs.68,000/- has been dishonoured. After repeated requests, the petitioner did not repay the amount and further abused the defacto complainant in filthy language with caste name. Hence, the complaint.



3.The learned counsel appearing for the petitioner would submit that the petitioner is an innocent person and he has been falsely implicated in this case. He further submitted that the petitioner is ready to deposit the said amount. Hence, he prays for anticipatory bail to the petitioner.

4.The learned Additional Public Prosecutor appearing for the respondent submitted that the investigation is pending.

5.Considering the fact that the injured has been discharged from the hospital and except SC/ST Act, other offences are not serious in nature, this Court, by following the judgment of the Apex Court reported in **(2018) 6 Supreme Court Cases 454-Subash Kashinath Mahajan V.State of Maharashtra**, is inclined to grant anticipatory bail to the petitioner with certain conditions. The petitioner shall deposit a sum of Rs.75,000/- (Rupees seventy five thousand only) to the credit of Crime No.444 of 2018 before the learned District and Sessions Judge (PCR) Cases, Theni District and on such deposit, the petitioner is ordered to be released on bail in the event of arrest or on his appearance before the learned District and Sessions Judge (PCR) Cases, Theni 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 Judge 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 Judge 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/-
10/09/2018

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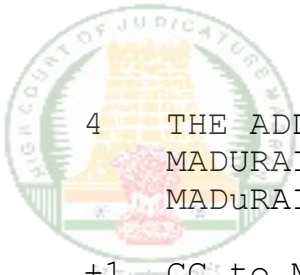
Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

TO

1 THE SESSIONS JUDGE,
(PCR) CASES, THENI DISTRICT.

2 THE DEPUTY SUPERINTENDENT OF POLICE,
THENI DISTRICT.

3 THE INSPECTOR OF POLICE
<https://hcservices.ecourts.gov.in/hcservices/>
PALANICHERIPATTI POLICE STATION,
THENI DISTRICT.



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

+1. CC to MR.V.JEGANATHAN Advocate for VEERA ASSOCIATES SR.No.17407
PS/JC/SAR-4:19/09/2018:2P/6C

ORDER

IN

CRL OP (MD) No.15771 of 2018

Date :10/09/2018