



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

Thursday, the Sixth day of September Two Thousand Eighteen

WEB COPY

PRESENT

THE HON`BLE MR.JUSTICE G.K.ILANTHIRAIYAN

CRL OP(MD) No.15757 of 2018

K.MARIMUTHU

... PETITIONER / ACCUSED NO.1

Vs

STATE REP BY
THE INSPECTOR OF POLICE
THIRUCHENDUR POLICE STATION,
THOOTHUKUDI DISTRICT
CRIME NO.154 OF 2018

... RESPONDENT / COMPLAINANT

For Petitioner : M/S.C.SENTHIL MURUGAN Advocate

For Respondent : MRS.ANANTHA DEVI, 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 offences punishable under Sections 406, 420, 147, 294(b), 323, 506(ii) I.P.C, in Crime No.154 of 2018, seeks anticipatory bail.

2.The case of the prosecution is that the defacto complainant is a dry fish vendor for the past 35 years. The petitioner and one Vaitheeswaran approached the defacto complainant and expressed their desire for purchasing the dry fish for long term. Believing their words, the defacto complainant supplied the dry fish on various dates to the tune of Rs.11,84,880/- In this regard, the second accused had issued two cheques and the said cheques were dishonoured. When the same was questioned by the defacto complainant, the petitioner and other accused in this case threatened the defacto complainant and also assaulted him. Hence, the complaint.



3.The learned counsel appearing for the petitioner would submit that the petitioner is an innocent person. He did not commit any offence as alleged by the prosecution. He further submitted that admittedly the alleged occurrence took place on 05.05.2018. But, the complaint was lodged only on 19.06.2018. The alleged occurrence originally took place at Namakkal and the complaint was lodged before the Tiruchendur Police Station, which is totally different transaction. Hence, he prays for anticipatory bail to the petitioner.

4.The learned Government Advocate (Crl.Side) appearing for the respondent submitted that the investigation is pending.

5.Taking note of all these aspects, 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, Tiruchendur 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 daily at 10.30 a.m for a period of two weeks and thereafter as and when required for interrogation. The petitioner shall comply with the conditions stipulated under Section 438 Cr.P.C. Scrupulously.

7.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/-
06/09/2018

/ TRUE COPY /

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

TO

1 THE JUDICIAL MAGISTRATE,
TIRUCHENDUR.

2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
THOOTHUKUDI.



3 THE INSPECTOR OF POLICE
THIRUCHENDUR POLICE STATION, THOOTHUKUDI
DISTRICT

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

+1. CC to M/S.C.SENTHIL MURUGAN Advocate SR.No.17003

ORDER
IN
CRL OP(MD) No.15757 of 2018
Date :06/09/2018

TR/RR/SAR-1 (14/09/2018) 3P/6C