



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

Wednesday, the Tenth day of October Two Thousand Eighteen

PRESENT

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

CRL OP(MD) No.16373 of 2018

SIVANU

... PETITIONER / ACCUSED NO.1

Vs

STATE REP.BY
THE INSPECTOR OF POLICE,
PATHAMADAI POLICE STATION,
TIRUNELVELI DISTRICT.
CRIME NO.111/2018

... RESPONDENT/ COMPLAINANT

For Petitioner : MR.SATHYA CHIDAMBARAM Advocate

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

PETITION FOR BAIL Under Sec. 439 Cr.P.C.

ORDER : The Court Made the following order :-

The petitioner is in judicial custody since 16.08.2018 for the offences punishable under Sections 420, 294(b) and 506(i) IPC in Crime No.111 of 2018 on the file of the respondent police. He seeks bail.

2.The case of the prosecution is that the petitioner is running a small Chit fund at Patthamadai, in which the petitioner cheated to the tune of Rs.8,38,650/- from 01.09.2014 to 20.07.2018. The defacto complainant and his family members have paid the monthly installments to the chit. After matured the chit amount, the petitioner assured to return the matured amount to the defacto complainant. After matured to the chit amount, the defacto complainant approached the petitioner to settle the chit amount, for which, the petitioner threatened the defacto complainant and abused filthy languages and cheated the chit amount. Hence, the complaint.

3.The learned counsel for the petitioner would submit that the petitioner was arrested and remanded to judicial custody from 16.08.2018. Insofar as the defacto complainant is concerned, he was settled and only a sum of Rs.70,000/- is balance. Further, all the family members of the petitioner represented in this crime.



4.The learned Additional Public Prosecutor would submit that the petitioner has cheated the defacto complainant and his family members. Further, he would submit that the anticipatory bail petition filed by A2 and A3 was also dismissed by this Court on earlier occasion.

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5.Considering the above facts and circumstances and also considering the period of incarceration of the petitioner, this Court is inclined to grant bail to the petitioner. Accordingly, the petitioner is ordered to be released on bail subject to the following conditions:

(i) the petitioner shall execute 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 Judicial Magistrate, Cheranmahadevi, Tirunelveli.

(ii)the petitioner shall appear before the respondent police until further orders.

sd/-

10/10/2018

/ TRUE COPY /

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

TO

1. THE JUDICIAL MAGISTRATE, CHERANMAHADEVI,
TIRUNELVELI.
2. DO-THROUGH THE CHIEF JUDICIAL MAGISTRATE,
TIRUNELVELI DISTRICT.
3. THE SUPERINTENDENT,CENTRAL PRISON,
PALAYMKOTTAI.
4. THE INSPECTOR OF POLICE,
PATHAMADAI POLICE STATION, TIRUNELVELI DISTRICT.
5. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1. CC to Mr.SATHYA CHIDAMBARAM Advocate SR.No.19340

ORDER

IN

CRL OP(MD) No.16373 of 2018

Date :10/10/2018

JM/PN/SAR-1/10.10.2018/2P.7C