



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

Tuesday, the Ninth day of October Two Thousand Eighteen

WEB COPY

PRESENT

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

CRL OP(MD) No.18052 of 2018

AYYAMPERUMAL

... PETITIONERS / ACCUSED 1 & 2

Vs

THE STATE BY
THE INSPECTOR OF POLICE,
DISTRICT CRIME BRANCH,
THOOTHUKUDI DISTRICT.
(CRIME NO.20 OF 2018)

... RESPONDENT / COMPLAINANT

For Petitioner : Mr.D.VENKATESH Advocate

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 :-

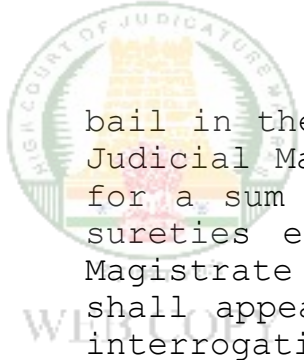
The petitioner apprehends arrest at the hands of the respondent police for the offences punishable under Sections 415 and 420 of I.P.C., in Crime No.20 of 2018, seeks anticipatory bail.

2. The case of the prosecution is that the de-facto complainant lend a sum of Rs.6,00,000/- to the first accused, in which he repaid a sum of Rs.1,50,000/- only. Thereafter, he did not repay the balance amount. Hence, the complaint.

3. The learned counsel appearing for the petitioner would submit that the petitioner and his father are arrayed as accused and they borrowed a sum of Rs.6,00,000/- from the de-facto complainant and they repaid the said amount. Therefore, a false complaint has been foisted against the petitioner.

4. It is seen from the above, it is only a loan transaction between the petitioner and the de-facto complainant and part of the amount has been repaid by the petitioner even according to the case of the prosecution. Therefore, it is purely civil in nature.

5. Taking note of the facts and circumstances, 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 No.III, Thoothukudi and on his 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 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/-

09/10/2018

/ TRUE COPY /

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

TO

- 1 THE JUDICIAL MAGISTRATE NO.III,
THOOTHUKUDI.
- 2 THE CHIEF JUDICIAL MAGISTRATE,
THOOTHUKUDI.
- 3 THE INSPECTOR OF POLICE
DISTRICT CRIME BRANCH, THOOTHUKUDI DISTRICT.
- 4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1. CC to M/S.D.VENKATESH Advocate SR.No.19258
PS/RR/SAR-4:11/10/2018:2P/6C

ORDER

IN

CRL OP(MD) No.18052 of 2018

Date :09/10/2018