



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

Thursday, the Eleventh day of October Two Thousand Eighteen

PRESENT

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

CRL OP (MD) No.18200 of 2018

K.S.GANESH @ K.S.GANESAN

... PETITIONER/ 3RD ACCUSED

Vs

THE STATE,
REP. BY THE INSPECTOR OF POLICE,
DINDIGUL TOWN NORTH POLICE STATION,
DINDIGUL DISTRICT
(CR.NO.885 OF 2018)

... RESPONDENT/ COMPLAINANT

For Petitioner : MR.D.SELVARAJ 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/A3 apprehends arrest at the hands of the respondent police for the offences punishable under Sections 294(b), 341, 323, 406, 420 and 506(i) of I.P.C., in Crime No.885 of 2018, seeks anticipatory bail.

2. The case of the prosecution is that there was money transaction between A1 and defacto complainant in the year 2012. In such circumstances, A1 invited the defacto complainant for the repayment amount and hence, on 15.06.2018 at about 7.30 p.m., the defacto complainant along with his friend gone to the house of A1 to receive the amount. At that time, the defacto complainant was ill treated, threatened with dire consequences by the accused persons. Hence, the complaint.

3. The learned counsel appearing for the petitioner would submit that admittedly the case of the de-facto complainant is that he lend money to A1 in the year 2012 and thereafter, he did not even ask for interest and money paid to A1. After a period of six years, now he filed the false complaint against the petitioner and others. He would further submit that already co-accused have been released



on anticipatory bail by this Court vide order dated 09.10.2018 made in Crl.O.P.(MD) No.18038 of 2018. Therefore, he sought for anticipatory bail.

4. The learned Additional Public Prosecutor appearing for the respondent would submit that in the year 2012, the de-facto complainant lend money to A1 to the tune of Rs.50,000,00/- and another and in turn, they did not repay the same.

5. It is seen from the allegations that admittedly the de-facto complainant lend a sum of Rs.50,00,000/- in the year 2012 to A1 and others without any security and without any documents. After having waited for six years, in the year 2018, the present complaint has been lodged. It is also seen that already co-accused in this case have been released on anticipatory bail by this Court vide order dated 09.10.2018 made in Crl.O.P.(MD) No.18038 of 2018.

6. 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.II, Dindigul 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.

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/-
11/10/2018

/ TRUE COPY /

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

TO

1 THE JUDICIAL MAGISTRATE NO II
DINDIGUL

2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE
DINDIGUL



3 THE INSPECTOR OF POLICE,
DINDIGUL TOWN NORTH POLICE STATION,
DINDIGUL DISTRICT

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

WEB COPY

+1. CC to MR.D.SELVARAJ Advocate SR.No.19473

ORDER
IN
CRL OP(MD) No.18200 of 2018
Date :11/10/2018

MSI/VR-MMS/SAR-II/16.10.2018-3P/6C