



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

Monday, the Twenty Ninth day of April Two Thousand Nineteen

PRESENT

**The Hon`ble Mr.Justice M.DHANDAPANI**

CRL OP(MD) No.6337 of 2019

SARAVANAN

...PETITIONER / ACCUSED No.3

Vs

STATE REP.BY  
THE INSPECTOR OF POLICE,  
THIRUNAGAR POLICE STATION,  
MADURAI DISTRICT  
Crime No.69/2019

... RESPONDENT / COMPLAINANT

For Petitioner : Mr.V.THIRUMAL Advocate

For Respondent : Mr.S.CHANDRASEKAR, 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 alleged offence under Sections 406, 420 & 506 (i) IPC in Cr.No.69 of 2019, on the file of the respondent police, seeks anticipatory bail.

2.It is the case of the prosecution that A1 & A2 are relatives of the defacto complainant. A1 demanded money from the defacto complainant for the purpose of giving treatment to his mother. Since the defacto complainant have no money, she had given her car to A1 for pledging. A1 & A2 have pledged the Car for a sum of Rs,1,20,000/-. After, securing the money, A1 & A2 neither returned money nor handed over the car. Thereafter, the defacto complainant came to know that A1 & A2 along with A3 sold the Car and committed cheating. A3, who is the friend of A2 working at Tirupoor. Hence, the defacto complainant lodged a complaint before the respondent police.

3.The learned counsel appearing for the petitioners would submit that the petitioner has been falsely implicated in this case and he has nothing to do with the alleged offence. He would further submit that the dispute only between A1 & A2 and the defacto complainant. He has only introduced the car broker to A1 & A2. Hence, he prayed for granting anticipatory bail.



5. The learned Government Advocate (Crl.side) appearing for the respondent police would submit that there is no specific allegations against the petitioner. Hence, this Court may consider the anticipatory bail application of the petitioner.

6. Considering the facts and circumstances of the case and also considering the fact that there is no specific allegations against the petitioner, this Court is inclined to grant anticipatory bail to the petitioner. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on his appearance, within a period of fifteen days from the date of receipt of a copy of this order, before the learned Judicial Magistrate, No.VI, Madurai, on condition that 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 respondent police or the police officer who intends to arrest or to the satisfaction of the learned Magistrate concerned and on further condition that:

(a) the petitioner and the sureties shall affix his photographs and left thumb impression in the surety bond and the Magistrate may obtain a copy of his Aadhar card or Bank pass Book to ensure his identity;

(b) the petitioner shall report before the respondent police daily at 10.30 a.m., for a period of three weeks thereafter he shall appear as and when required for interrogation;

(c) the petitioner shall not tamper with evidence or witness either during investigation or trial;

(d) the petitioner shall not abscond either during investigation or trial;

(e) on breach of any of the aforesaid conditions, the learned Magistrate/ Trial Court is entitled to take appropriate action against the petitioner in accordance with law as if the conditions have been imposed and the petitioner released on bail by the learned Magistrate/Trial Court himself as laid down by the Hon'ble Supreme Court in **P.K.Shaji Vs. State of Kerala [(2005) AIR SCW 5560]**; and;

(f) if the accused thereafter absconds, a fresh FIR can be registered under Section 229-A IPC.

sd/-  
29/04/2019

/ TRUE COPY /



TO

1. THE JUDICIAL MAGISTRATE NO VI,  
MADURAI.

2. THE CHIEF JUDICIAL MAGISTRATE,  
MADURAI DISTRICT.

3. THE INSPECTOR OF POLICE  
THIRUNAGAR POLICE STATION,  
MADURAI DISTRICT.

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

+1. CC to Mr.V.THIRUMAL Advocate SR.No.7693

ORDER

IN

CRL OP (MD) No.6337 of 2019

Date : 29/04/2019

TK/JC/SAR-2/07.05.2019/3P/6C