



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 25/07/2019

WEB COPY

PRESENT

The Hon`ble Mr.Justice P.RAJAMANICKAM

CRL OP(MD) . No.9361 of 2019

C.Vinoth Jesuraj,
... Petitioner/Accused Rank (Not Known)

Vs

State rep by
The Inspector of Police,,
K.K.Nagar Police Station, (Crime)
Trichy District.
Crime No.not known of 2019.
... Respondent/Complainant

For Petitioner : M/s.R.Yamuna,
Advocate.
For Respondent : Mr.V. Neelakandan,
Additional Public Prosecutor

PETITION FOR ANTICIPATORY BAIL Under Sec.438 of Cr.P.C

PRAYER :-

For Anticipatory Bail in Crime No.not known of 2019 on the file of the respondent Police.

ORDER : The Court Made the following order :-

The petitioner, who apprehend arrest at the hands of the respondent police for the offence punishable under Sections 406 and 420 of IPC, seeks anticipatory bail.

2.Heard both sides.

3.The learned counsel for the petitioner would submit that the defacto complainant had paid Rs.40,000/- for taking visa and after

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receipt of the said amount the petitioner has obtained tourist visa for the defacto complainant and the defacto complainant has also used the said visa and thereafter he gave a false complaint on 06.03.2019 stating that the petitioner has received Rs.85,000/- for arranging job in Dubai. He further submitted that the respondent has received the said complainant on 06.03.2019, but they have neither registered a case nor closed the complaint, but harassing the petitioner. He also filed Crl.O.P(MD) No.4975 of 2019 seeking not to harass him and this Court by the order dated 03.04.2019 has directed the respondent not to harass the petitioner. He further submitted that even thereafter the respondent, without registering the case, is harassing the petitioner . Hence he seeks anticipatory bail.

4. The learned Additional Public Prosecutor has submitted that the complaint was received on 06.03.2019 and the same is still pending for enquiry and hence he requested to post the case next week.

4. Taking into consideration of the fact that even though the complaint was received on 06.03.2019, for the past 4^{1/2} months the respondent police has not registered the case nor closed the complaint, this Court is inclined to grant Interim Anticipatory Bail to the petitioner till the registration of FIR and the petitioner shall report before the respondent police daily at 10.30 a.m., for a period of two weeks and thereafter as and when required for interrogation.

6.In the event of arrest, the petitioner is directed to be released on bail on his executing a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) without sureties to the satisfaction of the Arresting Officer.

7.If a regular case is registered, this order shall become infructuous and the petitioner has to apply afresh for anticipatory bail.

sd/-
25/07/2019

/ TRUE COPY /

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



TO

1 THE INSPECTOR OF POLICE,
K.K.NAGAR POLICE STATION, (CRIME)
TRICHY DISTRICT.

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

+1. CC to M/S.R.YAMUNA Advocate SR.No.12241

ORDER
IN
CRL OP(MD) No.9361 of 2019
Date :25/07/2019

KM/VR/SAR-II (09.08.2019) 3P 6C