



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

Monday, the Fourth day of February Two Thousand Nineteen

WEB COPY

PRESENT

The Hon`ble Mr.Justice M.DHANDAPANI

CRL OP (MD) No.20751 of 2018

SELVAM

... PETITIONER/1ST ACCUSED

Vs

THE STATE,
THE INSPECTOR OF POLICE,
DISTRICT CRIME BRANCH,
THENI DISTRICT.
CRIME NO.37 OF 2018

... RESPONDENT/COMPLAINANT

For Petitioner : MR.K.MAHENDRAN, Advocate

For Respondent : MR.S.CHANDRASEKAR,
Additional Public Prosecutor (Crl.Side)

For Intervenor : MR.R.SHANKARGANESH, Advocate

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 120(b), 406 and 420 IPC in Crime No.37 of 2018 on the file of the respondent police, seeks anticipatory bail.

2.It is the case of the prosecution that the petitioner and other persons were running a Pawn Broker shop for which they paid the money after collecting the jewel. When the person repaid the money in order to redeem the jewel, they approached the petitioner and the petitioner informed that he was not running the Pawn Broker Shop and he stated that he handed over the shop to one Ramar and the said Ramar was escaped. Thereby, all the affected parties have filed a complaint before the Law Enforcing Agency.

3.The learned counsel appearing for the petitioner would submit that the petitioner did not commit any offence as alleged by the prosecution. Though the Pawn Broker shop licence stands in the name of Selvam, he handed over the shop to one Ramar. The said Ramar has cheated the innocent villagers for which, the respondent



police registered a case against the petitioner is unsustainable one. He would further submit that the petitioner is ready to co-operate with the investigation.

4. The Additional Public Prosecutor would submit that earlier bail application filed by the petitioner was dismissed and no change of circumstances arose for consideration. Till date, no accused was arrested and the investigation is in initial stage. Hence, he vehemently opposed to grant anticipatory bail to the petitioner.

5. Considering the fact and circumstances of the case and it appears that several persons were cheated by the petitioner and one Ramar. Admittedly the Pawn Broker shop licence stands in the name of the petitioner, till date no jewels were returned to the victims. Hence, this Court not inclined to grant anticipatory bail to the petitioner.

6. Accordingly, this Criminal Original Petition is dismissed. However this order will not stand in the way of the petitioner, if the petitioner is ready to settle the matter amicably with the villagers.

sd/-
04/02/2019

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

TO

- 1 THE INSPECTOR OF POLICE,
DISTRICT CRIME BRANCH, THENI DISTRICT
 - 2 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.
- +1. CC to Mr.K, MAHENDRAN Advocate SR.No.44657

ORDER
IN
CRL OP(MD) No.20751 of 2018
Date :04/02/2019

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PK/JC/SAR-1/08.02.2019 : 2P/4C