



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

Monday, the Eighteenth day of February Two Thousand Nineteen

PRESENT

The Hon`ble Mr.Justice M.DHANDAPANI

CRL OP(MD) No.17872 of 2018

C. RAJESHKANNAN ... PETITIONER / ACCUSED RANK NOT KNOWN

Vs

THE STATE,
REP BY THE INSPECTOR OF POLICE (CRIME),
TALLAKULAM POLICE STATION,
MADURAI CITY.
(IN CRIME NO. 2354 OF 2018)

... RESPONDENT / COMPLAINANT

FARITHA BANU

... PETITIONER/INTERVENER/
DEFACTO COMPLAINANT
IN CRL MP(MD) No. 9872 of 2018
IN CRL OP(MD) No. 17872 of 2018

For Petitioner : Mr.M.SOLAISAMY Advocate

For Respondent : MR.K.SUYAMBULINGA BHARATHI,
Government Advocate (Crl.Side)

For Intervener : MR.S.SIVAKUMAR, Advocate
IN CRL MP(MD) No. 9872 of 2018
IN CRL OP(MD) No. 17872 of 2018

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

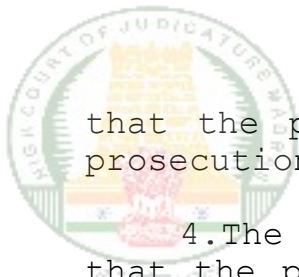
ORDER : The Court Made the following order :-

The petitioner who apprehends arrest at the hands of the respondent police for the alleged offence under Sections 406 & 420 IPC, in Cr.No.2354 of 2018, on the file of the respondent police, seeks anticipatory bail.

2.It is the case of the prosecution that defacto complainant's husband is a friend of the petitioner and due to friendship, the petitioner borrowed a sum of Rs.1,60,000/- and some gold jewels and thereafter, the petitioner did not repay the same. Hence, the complaint.

<https://hcservices.ecourts.gov.in/hcservices/>

3.The learned counsel appearing for the petitioner would submit



that the petitioner did not commit any offence as alleged by the prosecution and he is an innocent person.

4.The learned counsel appearing for the intervenor would submit that the petitioner borrowed money and gold jewels for the purpose of business and he did not repay the same and the defacto complainant being a lady, suffered a lot and hence, he would pray for dismissal of this petition.

5.The learned Government Advocate(Crl.side) appearing for the respondent police would submit that investigation is pending.

6.Considering the facts and circumstances of the case and considering the fact that the petitioner borrowed money and refused to repay the same, this Court is not inclined to grant anticipatory bail to the petitioner. Accordingly, this Criminal Original Petition is dismissed.

sd/-
18/02/2019

/ TRUE COPY /

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

TO

- 1 THE INSPECTOR OF POLICE (CRIME),
TALLAKULAM POLICE STATION,
MADURAI CITY.
- 2 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.

+1. CC to MR.S.SIVAKUMAR Advocate SR.No.47816

ORDER
IN
CRL OP(MD) No.17872 of 2018
Date :18/02/2019

MSI/VR/SAR 2/27.02.2019/2P-4C