



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 03/09/2019

WEB COPY

PRESENT

The Hon`ble Mr.Justice G.R.SWAMINATHAN

CRL OP(MD) . No.11761 of 2019

Ganesa Pandian,

... Petitioner/Accused

Vs

State: The Inspector of Police,
Pudukottai Police Station,
Thoothukudi, Crime No. 236 of 2019.

... Respondent/Complainant

For Petitioner : M/s. Ka. Raamakrishnan,
Advocate.

For Respondent : A.Robinson,
Government Advocate (Crl.Side)

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

PRAYER :-

For Anticipatory Bail in Crime No. 236 of 2019 on the file of the Respondent Police.

ORDER : The Court Made the following order :-

The petitioner apprehending arrest at the hands of the respondent police for the alleged offences punishable under Sections 406, 420 and 465 of IPC, in Crime No.236 of 2019, on the file of the respondent police, seeks anticipatory bail.

2.Heard the learned counsel for the petitioner and the learned Government Advocate (Crl. Side) for the respondent.

3.It is seen that the de-facto complainant sold a lorry in question to the petitioner and that according to him, the promised sale consideration was not paid by the petitioner.



4.The stand of the petitioner is that the sale consideration was fixed at Rs.6,00,000/- and that he had already paid a sum of Rs.2,00,000/- and the balance amount of Rs.4,00,000/- will be paid provided the encumbrance in respect of the vehicle is cleared. It is also seen that civil suit has been filed by the petitioner before the Principal District Munsif, Tuticorin. The transaction between the parties appears to be a civil in nature.

5.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.III, Tuticorin, Tuticorin District and on his executing 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 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.

6.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/-
03/09/2019

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

TO

1. Judicial Magistrate No.III, Tuticorin, Tuticorin District.
2. Do-Through The Chief Judicial Magistrate, Tuticorin District.
3. The Inspector of Police, Pudukottai Police Station, Thoothukudi.
4. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

ORDER
IN

CRL OP(MD) No.11761 of 2019

TR/VR/SAR-III (10.09.2019) 2P 5C