



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.11930 of 2019

Rajasekar, ... Petitioner/Accused No.1

Vs

State rep by
The Inspector of Police,
Kurumbur Police Station,
Tuticorin District.
(Crime No.79 of 2019).

... Respondent/Complainant

For Petitioner	: M/s. S.R. Anbarasu, Advocate.
For Respondent	: Mr.A.Robinson, Government Advocate (Crl.Side)

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

PRAYER :-

For Anticipatory Bail in Crime No.79 of 2019 on the file of the respondent

ORDER : The Court Made the following order :-

The petitioner apprehends arrest at the hands of the respondent Police for the offence punishable under Section 420 IPC in Crime No.79 of 2019. He seeks anticipatory bail.

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

3.The case of the defacto complainant is that he approached PNB Housing Finance Limited, Tirunelveli Branch, for loan. The defacto complainat had submitted certain documents and also signed cheques. The loan application was rejected, but then, the signed cheques were not returned. Instead, one of the cheques was presented for collection for a sum of Rs.96,000/- (Rupees Nineteen Six Thousand only). Therefore, the complaint came to be lodged.



4. When the matter was taken up for hearing, the learned counsel appearing for the petitioner states that the petitioner herein is figuring as the first accused and that the fraud was committed by A2 and A3. The Bank management, after coming to know of the same, has terminated the second accused namely Muthukumar from service. It appears that the second accused had taken the help of the third accused to commit the fraud in question.

5. Taking note of this aspect, 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.II, Tirunelveli 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. The petitioner shall appear before the concerned Magistrate within a period of 15 days from the date on which the order copy is made ready, failing which, the petition for anticipatory bail shall stand dismissed.

sd/-
03/09/2019

/ TRUE COPY /

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

To

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

+1CC TO MR.S.R. ANBARASU, Advocate Sr. No. 14690

ORDER IN
CRL OP(MD) No.11930 of 2019
Date : 03/09/2019

TR/VR/SAR-I (10.09.2019) 2P 6C