



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 08/01/2020

PRESENT

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

CRL OP(MD). No.91 of 2020

E. Peter Ravikumar

... Petitioner/1st Accused

Vs

The State Rep. by
The Inspector of Police,
S.S.Colony Police Station,
Madurai City,
Crime No.1368 of 2019.

... Respondent/Complainant

For Petitioner : M/s.Royce Immanuel,
Advocate.

For Respondent : Mr.K.K.Ramakrishnan,
Additional Public Prosecutor

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

PRAYER :-

For Anticipatory Bail in Crime No.1368 of 2019 on the file of the Respondent Police.

ORDER : The Court made the following order :-

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

2. The petitioner is figuring as A1 in Crime No.1368 of 2019 registered on the file of the Inspector of Police, S.S.Colony Police Station, Madurai City for the offences under Sections 120(b), 417, 420 of IPC, seeks anticipatory bail.

3.The petitioner along with accused No.2 had dealing with the defacto complainant, with regard to securing a medical seat for his son. The case of the prosecution is that the proposed admission



could not materialise for several reasons and that the petitioner had not returned the entire money received by him.

4.It is seen from the materials on record that a sum of Rs.23 Lakhs was parted with by the defacto complainant and out of them Rs.18 Lakhs was already returned. The cause of action dates back to the year 2016-2017. While so, recently the petitioner was summoned by the respondent police and on 26.12.2019, the petitioner was made to pay a further sum of Rs.2 Lakhs. The petitioner has acknowledged his liability to return the balance amount of Rs.3 Lakhs.

5.In view of the substantial repayment of money to the defacto complainant, I am of the view that the petitioner can be granted anticipatory bail. The question as to absconding does not arise as he is said to be a Government teacher.

6.In view of the above, I am inclined to grant anticipatory bail to the petitioner with certain conditions. Accordingly, petitioner is ordered to be released on bail in the event of arrest or on his appearance before the learned Judicial Magistrate Court No.V, Madurai, 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.

7. 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/-
08/01/2020

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/ /2020
Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

TO

1. THE JUDICIAL MAGISTRATE No.V, MADURAI.
2. DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
MADURAI DISTRICT.



3. THE INSPECTOR OF POLICE,
S.S.COLONY POLICE STATION,
MADURAI CITY.

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

+1 CC to M/s.ROYCE IMMANUEL, Advocate (SR-504[I] dated 09/01/2020)

ORDER

IN

CRL OP(MD) No.91 of 2020

Date :08/01/2020

PNN

TE/JC/SAR-III : 13/01/2020 : 3P/6C