



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

Date : 27/01/2020

PRESENT

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

CRL OP(MD). No.767 of 2020

L.Krishnamoorthy

... Petitioner/Accused
Rank Not Known

Vs

The State rep.,by
The Inspector of Police,
Gandhi Market Police Station,
Crime Branch, Gandhi Market, Trichy.
Crime No.Not Known of 2020.

... Respondent/Complainant

Ponnaiah Pillai

...Petitioner/Defacto Complainant
IN CRL MP(MD)No.556 of 2020
IN CRL OP(MD)No.767 of 2020

For Petitioner : M/s.R.Sundar, Advocate.

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

For Intervener : Mr.R.Sivalingam, Advocate.

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

PRAYER :-

For Anticipatory Bail in Crime No.Not known of 2020 on the file of the Respondent Police.

ORDER : The Court made the following order :-

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

2. The petitioner apprehending arrest at the hands of the respondent police for the offences punishable under sections 406, 420 and 506(ii) of I.P.C., in Crime No. Not Known of 2020 on the file of the respondent police, seeks anticipatory bail.

3. It is seen that the intervener deposited a sum of Rs.5,00,000/- in his name and that of his wife through Loga Guru Finance in November, 2017. The said amount has not been refunded. Therefore, the intervener had given a complaint to the respondent. The respondent has informed the intervener that the jurisdictional police will be at Karur.



4.The learned counsel for the intervener would state that Loga Guru Finance were running their branch Office at No.1, Chekkadi Bazar, Tharanallur, Trichy. In fact, C.S.R.No.286 of 2019 was issued by the respondent to that effect.

5.Since a prima facie case of default has been made out, the respondent is directed to forward the intervener's complaint to EOW-2, Trichy. The Inspector of Police, EOW-2, Trichy, is directed to register a First Information Report and find out if really Loga Guru Finance was carrying on their operation at No.1, Chekkadi Bazar, Tharanallur, Trichy. If that be so, the Inspector of Police, EOW-2, Trichy will conduct an investigation and also file final report. If the claim of the intervener is not correct and Loga Guru Finance is actually based only in Lalapet, Karur, then the First Information Report will be transferred to their counter part at Karur. The exercise shall be concluded within a period of four weeks from the date of receipt of a copy of this order.

6.Since the petitioner's apprehension that he will be arrested by the respondent is not well founded, there is no need for granting any protection to the petitioner herein.

7.Accordingly, this Criminal Original Petition is disposed of.

8.Registry to mark a copy to the Inspector of Police, EOW-2, Trichy.

sd/-
27/01/2020

/ TRUE COPY /

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

TO

- 1.THE INSPECTOR OF POLICE,GANDHI MARKET POLICE STATION,
CRIME BRANCH, GANDHI MARKET, TRICHY.
- 2.THE ADDITIONAL PUBLIC PROSECUTOR
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

COPY TO:

THE INSPECTOR OF POLICE, EOW-2, TRICHY

- +1. CC to M/S.R.SUNDAR Advocate SR.No.1539
- +1. C.C. to Mr.R.SIVALINGAM Advocate SR.No.3335

ORDER IN
CRL OP(MD) No.767 of 2020
Date :27/01/2020

PNN
TK/VR/SAR.2/30.01.2020/2P/6C