



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 02/03/2020

WEB COPY

PRESENT

The Hon`ble Dr.Justice G.JAYACHANDRAN

CRL OP(MD). No.2524 of 2020

Sivan Sakthi,

... Petitioner/Accused

Vs

The state rep by
The Inspector of Police,
District Crime Branch,
Madurai District.
(Crime No.Not Known of 2019).

... Respondent/Complainant

For Petitioner : Mr.R.Anand
Advocate.

For Respondent : Mr.K.Suyambulinga Bharathi,
Government Advocate (Crl.Side)

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

PRAYER :-

for Anticipatory bail in Crime No. Not Known 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 offences punishable under sections 406 and 420 of IPC, in Crime No. Not Known of 2019, on the file of the respondent police, seeks anticipatory bail.

2.Heard the learned counsel appearing for the petitioner.

3.A specific case has been made against the petitioner alleging that he has promised to secure MLA seat for the de-facto complainant and has received a sum of Rs.40,00,000/- from the de-facto complainant. Later, he was not able to secure the MLA seat and hence the complaint.

4.The respondent police has summoned the petitioner in



terms of Section 41(A) of Cr.P.C., this application has been filed seeking anticipatory bail. During the pendency of this petition, this Court has also passed an order restraining the respondent from arresting the petitioner.

5.This anticipatory bail petition was filed on 10.02.2020. Till date, this Court finds no substantial progress in the investigation, due to the pendency of the anticipatory bail petition.

6.The learned Government Advocate (Crl. side) would submit that during the initial stage of investigation, the petitioner herein admitted the receipt of Rs.40,00,000/- from the de-facto complainant and has also promised to return the money. But till date, he has not returned the money.

7.In the said circumstances, this Court finds that keeping the anticipatory bail petition pending without any progress will undermine the process of investigation. Hence, this anticipatory bail petition is dismissed. The petitioner shall appear before the investigation officer as and when enquired and participate in the enquiry and if there is any *prima facie* case made out, the respondent shall act in accordance with law.

sd/-
02/03/2020

/ TRUE COPY /

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

TO

- 1 THE INSPECTOR OF POLICE,
DISTRICT CRIME BRANCH,
MADURAI DISTRICT.
- 2 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1. CC to Mr.P.SARAVANAN Advocate SR.No.4623

ORDER
IN
CRL OP(MD) No.2524 of 2020
Date :02/03/2020

KM/ (06.03.2020) SKN/SAR2/2P 4C