



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)
Date : 06/03/2020

PRESENT

WEB COPY

The Hon`ble Dr.Justice G.JAYACHANDRAN

CRL OP(MD) . No.4219 of 2020

G.Seenivasagam

... Petitioner/Accused
rank not known

Vs

The Inspector of Police,
Kalugumalai Police Station,
Thoothukudi District,
Cr.No. Not Known Of 2020

... Respondent/Complainant

For Petitioner : M/s.M.Solaisamy,
Advocate.

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

For Intervenor : Mr.A.Vaigunthan

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

PRAYER :-

For Anticipatory bail in Crime No. of 2020 on the file of the Respondent Police

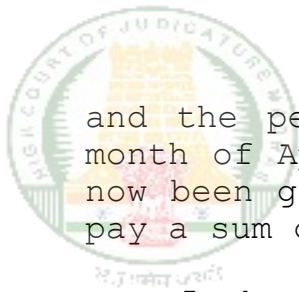
ORDER : The Court made the following order :-

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

2.The petitioner apprehending arrest at the hands of the respondent police for the offences punishable under section 420 of I.P.C., in Crime No. not known of 2020 on the file of the respondent police, seeks anticipatory bail.

3.The petitioner apprehends arrest by the respondent police in connection with the complaint given by one Sundaraj alleging that the petitioner herein has not paid a sum of Rs.20,00,000/- towards grocery supplied.

4.The contention of the petitioner is that there was trade relationship between the complainant and the petitioner. Earlier the complainant created problem alleging that he has incurred loss



and the petitioner, through mediator settled the issue during the month of April 2019. After settling the issue, fresh complaint has now been given by the complainant as if the petitioner is liable to pay a sum of Rs.20,00,000/-.

5.The learned Government Advocate(Crl.side) would submit that based on the complaint given by Sundaraj, the respondent police has summoned the accused to participate in the enquiry to find out the veracity of the complaint. However, the petitioner instead of participating in the enquiry, has sent a letter to the Superintendent of Police stating that if he came to Kalugumalai, his life is under threat and he is not in a position to come to Kalugumalai for participating in the enquiry.

6.The complainant herein, through his counsel intervened the anticipatory bail stating that after receiving goods worth about more than Rs.6 Crores, the petitioner herein still liable to pay a sum of Rs.20,00,000/- and when demanded, the petitioner is threatening with dire consequences.

7.From the contention of the defacto complainant and the petitioner, it is clear that they are making allegation about threat of their life. Unless and untill the petitioner herein participate in the enquiry, the respondent police cannot arrived at conclusion as to whether the complaint given by Sundaraj is worth for registering the case.

8.Therefore, this criminal original petition is disposed of with a direction to the petitioner to participate in the enquiry and the defacto complainant is warned, if there is any life threat to the petitioner, he will be responsible.

sd/-
06/03/2020

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



TO

1. THE INSPECTOR OF POLICE
KALUGUMALAI POLICE STATION,
THOOTHUKUDI DISTRICT.
2. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.

WEB COPY

ORDER
IN
CRL OP(MD) No.4219 of 2020
Date :06/03/2020

ME/JC/SAR 2/12.03.2020/3P/3C