



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

Date : 16/06/2020

PRESENT

The Hon'ble Mr.Justice M.DHANDAPANI

CRL OP (MD) .No.6189 of 2020

Rajasekar
Tamilarasi

... Petitioners/
Accused Rank not known

Vs

The State rep. by
The Inspector of Police,
Central Crime Branch - Unit I,
Madurai
Crime No.not known of 2020)

... Respondent/Complainant

For Petitioners : M/s. S.Krishnan, Advocate.

For Interveners : 1) Mr.J.Sultan Basha,
For M/s.Ajmal Associates.

2) Mr.K.R.Laxman, Advocate

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

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

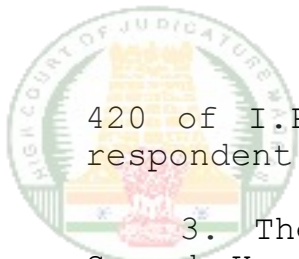
PRAYER :

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 petitioners, learned counsel appearing for the interveners and the learned Government Advocate(Criminal Side) appearing for the respondent.

2. The petitioners apprehending arrest at the hands of the respondent police for the offences punishable under sections 406 and



420 of I.P.C., in Crime No.not known of 2020 on the file of the respondent police, seek anticipatory bail.

3. The case of the prosecution is that one Akashkumar, S/o Suresh Kumar, lodged a complaint against the petitioner stating that he has been running a whole sale electronic CCTV items and the petitioners are running a shop in the name and style of "GOLD SKY Electrical and Electronic Shop" and the de facto complainant alleged that the petitioners had purchased the goods as per the GST Bill and they did not refund the money as against the goods and thereby totally due amount of Rs.14,00,000/-is pending to be paid by the petitioners. Hence, the complaint.

4. The learned counsel appearing for the petitioners submitted that the petitioners did not commit any offence as alleged by the prosecution and they are innocent and they have been falsely implicated in the case.

5. The learned Government Advocate (Criminal Side) appearing for the State would submit that the petitioners had already approached this Court seeking for anticipatory bail by way of filing a petition in CrI.O.P.(MD) No.5056 of 2020, wherein this Court did not grant the same by pointing out the fact that the case was at the stage of petition enquiry and it will also be not appropriate to grant Anticipatory Bail at that point of time and further directed the petitioners to cooperate for enquiry with the respondent police and directed the respondent police to complete the same within a period of two weeks. But the petitioners did not comply with the above directions and also did not cooperate for enquiry. In view of the above reasons, the learned Government Advocate(Criminal Side) opposed to grant anticipatory bail to the petitioners.

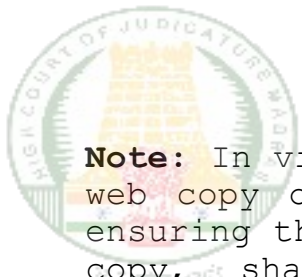
6. Considering the submissions made by the learned Government Advocate (Criminal side), the respondent police is directed to conduct the enquiry and if any *prima facie* case is made out against the petitioners, the respondent police shall register the F.I.R or close the petition enquiry within a period of two weeks from the date of receipt of a copy of this order.

7. Accordingly, the Criminal Original Petition stands closed.

sd/-
16/06/2020

/ TRUE COPY /

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



Note: In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilised for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant concerned.

WEB COPY

TO

1. THE INSPECTOR OF POLICE,
CENTRAL CRIME BRANCH :UNIT-I,
MADURAI .
2. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.

ORDER

IN

CRL OP(MD) No.6189 of 2020

Date :16/06/2020

STS

SRS/ VR/ SAR-III/ 19.06.2020/ 3P/3C