



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

Monday, the Fifteenth day of June Two Thousand Twenty

PRESENT

The Hon`ble Mr.Justice M.DHANDAPANI

CRL OP(MD) No.6264 of 2020

Pavan @ Bhawan,

... Petitioner/5TH Accused

Vs.

State rep by
The Inspector of Police,
S.S.Colony Police Station,
Madurai,
Madurai District
Crime No.297 of 2020

... Respondent/Complainant

For Petitioner : M/s B.Rajesh Saravanan,
Advocate.

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

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

PRAYER :

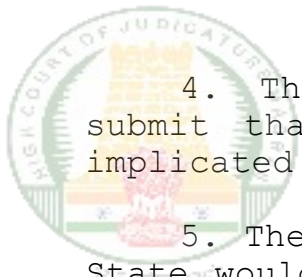
For Anticipatory Bail in Crime No.297 of 2020 on the file of the respondent police.

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 sections 406 and 420 of I.P.C., in Crime No.297 of 2020 on the file of the respondent police, seeks anticipatory bail.

3. The case of the prosecution is that on 06.03.2020, a complaint was lodged by the de facto complainant against the petitioner for the alleged offence that took place before 10 months (i.e.) on 26.04.2019. The petitioner was an employee in Maruthi Cars and the de facto complainant purchased a car from Maruthi Cars and after a period of one year, he has given a false complaint stating that the petitioner has sold him a used car, since the first registration of the car was made in the name of de facto complainant. Hence, the complaint.



4. The learned counsel appearing for the petitioner would submit that the petitioner is innocent and he has been falsely implicated in this case.

5. The learned Government Advocate (Crl.side) appearing for the State would submit that this Court had earlier granted bail to the co-accused in this case. He further submits that the petitioner is also based on the same footing.

6. I have heard the learned counsel appearing on either side and perused the materials available on record.

7. In view of the above, I am inclined to grant anticipatory bail to the petitioner with certain conditions.

[a] The petitioner is ordered to be released on bail in the event of arrest or on his appearance before the concerned Judicial Magistrate, 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;

[b] The petitioner shall appear before the respondent police as and when required for interrogation;

(c) On breach of any of the aforesaid conditions, the learned Magistrate/ Trial Court is entitled to take appropriate action against the petitioner in accordance with law as if the conditions have been imposed and the petitioner released on bail by the learned Magistrate/Trial Court himself as laid down by the Hon'ble Supreme Court in **P.K.Shaji Vs. State of Kerala [(2005) AIR SCW 5560]**;

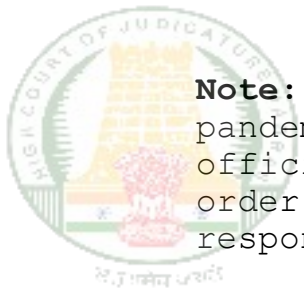
(d) If the accused thereafter absconds, a fresh FIR can be registered under Section 229-A IPC; and

[e] The petitioner shall comply with the conditions stipulated under Section 438 Cr.P.C scrupulously.

8. 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/-
15/06/2020

/ TRUE COPY /



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.

TO

WEB COPY

- 1 THE JUDICIAL MAGISTRATE NO.V,
MADURAI
- 2 -DO- THRO THE CHIEF JUDICIAL MAGISTRATE,
MADURAI DISTRICT
- 3 THE INSPECTOR OF POLICE
S.S.COLONY POLICE STATION,
MADURAI, MADURAI DISTRICT
- 4 THE ADDITIONAL PUBLIC PROSECUTOR
MADRUI BENCH OF MADRAS HIGH COURT
MADURAI

ORDER

IN

CRL OP(MD) No.6264 of 2020

Date :15/06/2020

PD/VR/SAR-III/18.06.2020/P3:5C