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

Date : 07/10/2020

PRESENT

The Hon`ble Mr.Justice G.K.ILANTHIRAIYAN

CRL OP(MD) . No.10306 of 2020

S.Alagarsamy @ Raja ... Petitioner/Accused Rank Not Known
Vs

The Inspector of Police,
Thanjavur DCB Police Station,
Thanjavur District.
(In Crime No. 1 of 2020). ... Respondent/Complainant

For Petitioner : Mr.C.M.Arumugam,
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. 1 of 2020 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 420, 294 (b), 506 (1) of IPC., and Section 4 & 3 of Prize Chit & Money Circulation Schemes (Banning) Act, 1978, in Crime No.1 of 2020, on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that the defacto complainant would like to participate a meeting viz., Elfin Opportunity Programs at Sengo Hall situated near Thanjavur New Bus Stand. After reaching the meeting hall, he came to know that no meeting is going to be held there. When he returned back, three persons canvassed him that if he paid a sum of Rs.12,000/-, household articles would be given and if members are canvassed to join in the scheme, they would give commission for it. Believing their words, the defacto



complainant paid the said amount and demanded bill for such payment. But the accused persons refused the same and hence, the defacto complainant returned back his money from them. Due to which, the accused persons abused him with filthy language and threatened him with dire consequence. Hence, the complaint.

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

4. The learned counsel appearing for the petitioner would submit that the petitioner is an innocent person. Only based on the confession of A1, he has been falsely implicated in this case. Hence, he prayed to anticipatory bail to the petitioner.

5. The learned Government Advocate (Crl.Side) appearing for the State would submit that the defacto complainant would like to participate a meeting viz., Elfin Opportunity Programs at Sengo Hall situated near Thanjavur New Bus Stand. After reaching the meeting hall, he came to know that no meeting is going to be held there. When he returned back, three persons canvassed him that if he paid a sum of Rs.12,000/-, household articles would be given and if members are canvassed to join in the scheme, they would give commission for it. Believing their words, the defacto complainant paid the same and demanded the bill for such payment. But the accused persons refused the same and the defacto complainant returned back his money from them. Due to which, the accused persons abused him with filthy language and threatened him with dire consequence. He further submitted that the petitioner is having seven previous cases. Hence, he strongly opposed to grant anticipatory bail to the petitioner.

6. Considering the above facts and circumstances and considering the fact that the petitioner is having seven previous cases, this Court is not inclined to grant anticipatory bail to the petitioner.

7. Accordingly, this Criminal Original Petition is dismissed.

sd/-
07/10/2020

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/ /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 utilized 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



TO

1 THE INSPECTOR OF POLICE,
THANJAVUR DCB POLICE STATION,
THANJAVUR DISTRICT.

2 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

ORDER
IN
CRL OP(MD) No.10306 of 2020
Date :07/10/2020

dss
AE/JC/SAR-II (13.10.2020) 3P 3C