



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

Date : 28/01/2020

PRESENT

WEB COPY

The Hon`ble Mr.Justice G.R.SWAMINATHAN

CRL OP(MD) . No.19170 of 2019

P. Amuthathamizhpandian

... Petitioner/Accused

Vs

The state represented by,
The Inspector of Police,
Courtallam Police Station,
Courtallam,
Tenkasi District
(Crime No.533/2019).

... Respondent/Complainant

A.Selvarj

... Intervener Petitioner/
Defacto Complainant

For Petitioner : M/s. B. Prahalad Ravi,
Advocate.

For Respondent : Mr.A.Robinson,
Government Advocate (Crl.Side)

For Intervener : Mr.I.Pinaygash

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

PRAYER :-

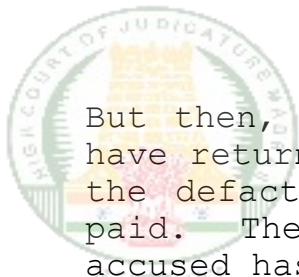
For Anticipatory Bail in Cr.No.533 of 2019 on the file of the respondent.

ORDER : The Court made the following order :-

Heard the learned counsel appearing for the petitioner, the learned counsel appearing for the intervener 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 under sections 406 and 420 of I.P.C., in Crime No.533 of 2019 on the file of the respondent police, seeks anticipatory bail.

3. The case of the prosecution is that the petitioner was the counsel on record for the defacto complainant originally in a civil case. It is alleged that the accused had taken a substantial sum of money from the defacto complainant promising to settle the issue.



But then, the issue was never settled. The petitioner is said to have returned only a portion of the amount received and according to the defacto complainant, a further sum of Rs.6,70,000/- has to be paid. The prosecution has filed status report indicating that the accused has not cooperated in the enquiry.

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4. I am of the view that the arrest of the is not going to serve any purpose. Of course, the defacto complainant is at liberty to lodge a complainant before the Bar Council of Tamilnadu for the alleged professional misconduct said to have been committed by the petitioner herein. I am only concerned with the issue of anticipatory bail. I am not in a position to go further. Therefore, I am inclined to grant anticipatory bail to the petitioner with certain conditions. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on his appearance before the learned Judicial Magistrate, Senkottai, 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 and on further condition that the petitioner shall appear before the respondent police daily at 10.30 a.m., for a period of three weeks and thereafter as and when required for interrogation. The petitioner shall comply with the conditions stipulated under Section 438 Cr.P.C scrupulously.

5. 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/-
28/01/2020

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

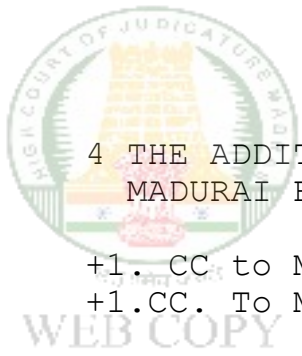
TO

1 THE JUDICIAL MAGISTRATE
SENKOTTAI

2 THE CHIEF JUDICIAL MAGISTRATE,
TENKASI DISTRICT.

3 THE INSPECTOR OF POLICE
COURTALLAM POLICE STATION, COURTALLAM,

<https://hcservices.tn.gov.in/Service>



4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI

+1. CC to M/S. B. PRAHALAD RAVI Advocate SR.No.1892
+1.CC. To Mr.I.Pinaygash, Advocate in SR No.1652

ORDER
IN
CRL OP(MD) No.19170 of 2019
Date :28/01/2020

MK/SKN/SAR 1(03.02.2020) 3P 7C