



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)
Date : 17/09/2021

PRESENT

The Hon`ble Mr.Justice B.PUGALENDHI

WEB COPY

CRL OP(MD) . No.5794 of 2021

K.Kamaraj ... Petitioner/Sole Accused

Vs

State Rep.by
The Inspector of Police,
Central Crime Branch Police Station,
Madurai City, Madurai.
(Crime No.53 of 2019)

... Respondent/Complainant

For Petitioner : Mr.A.Arun Prasad, Advocate.
For Respondent : Mr.T.Senthilkumar,
Additional Public Prosecutor
For Intervenor : Mr.R.Senthilkumar, Advocate

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

PRAYER :- For Anticipatory Bail in Crime No.53 of 2019 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioner/sole accused, who apprehends arrest at the hands of the respondent Police, for the offence punishable under Sections 406 and 420 IPC, in Crime No.53 of 2019, on the file of the respondent Police, seeks anticipatory bail.

2. The case of the prosecution is that the defacto complainant is a vegetables and fruits vendor. The petitioner approached the defacto complainant by introducing himself that he is running a grocery shop in Singapore and he is interested in selling the fruits and vegetables in his shop. Therefore, he requested the defacto complainant to export the fruits and vegetables to him. Believing his words, the defacto complainant exported the fruits and vegetables to the petitioner from 18.01.2018 to 13.09.2018 to the tune of Rs.1,40,78,812.78p. But, the petitioner has not paid the consideration amount. Despite repeated requests, the petitioner has not responded to the same. Hence, the complaint.

3. Pending the Anticipatory Bail Petition, the learned counsel for the petitioner as well as the learned counsel for the defacto complainant submitted that there is a possibility of settlement. Therefore, this Court granted interim protection, enabling the petitioner to arrive at a settlement with the defacto complainant.



4. Today, when the matter is taken up for consideration, the learned counsel for the petitioner submitted that the matter has been settled between the parties and filed a memo of compromise to that effect.

5. Considering the fact that the matter has been settled between the parties, the Criminal Original Petition is allowed without any condition. The memo of compromise shall form part of the order.

6. It is reported that final report was filed and the same was taken on file as C.C.No.407 of 2021 on the file of the learned Judicial Magistrate No.I, Madurai.

7. It is open to the petitioner to file a necessary application before the concerned Court for compounding the offence.

8. Considering the compromise arrived at between the parties, the concerned Authority shall permit the petitioner to go abroad to continue his business.

9. This Court places its appreciation to Mr.A.Arun Prasad, learned counsel for the petitioner and Mr.R.Senthilkumar, learned counsel for the defacto complainant, for effectively solving the issue between the petitioner and the defacto complainant.

sd/-
17/09/2021

/ TRUE COPY /

/ /2021
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 concerned.
TO

ENCL: XEROX COPY OF COMPROMISE MEMO

- 1 THE JUDICIAL MAGISTRATE NO.I, MADURAI.
- 2 DO-THROUGH THE CHIEF JUDICIAL MAGISTRATE, MADURAI DISTRICT.
- 3 THE INSPECTOR OF POLICE,
CENTRAL CRIME BRANCH POLICE STATION, MADURAI CITY, MADURAI.
- 4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

ORDER IN
CRL OP(MD) No.5794 of 2021
Date :17/09/2021

OGY

MS/PN/SAR-1/23.09.2021/2P.5C

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