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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 09/12/2021

PRESENT

The Hon`ble Mr.Justice G.ILANGO VAN

CRL OP (MD) . No.16824 of 2021

R.Prabhakar

... Petitioner/Accused No.2

Vs

The State rep by
The Inspector of Police,
Kovilangulam Police Station,
Ramanathapuram District.
(Cr.No.15/2021).

... Respondent/Complainant

For Petitioner : Mr.Ganeshkamu M,
Advocate.

For Respondent : Mr.SS.Madhavan,
Government Advocate (Crl.Side)

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

PRAYER :-

For Anticipatory Bail in Crime No. 15 of 2021 on the file of the respondent Police.

ORDER : The Court made the following order :-

The petitioner, who apprehend arrest at the hands of the respondent police for the offences punishable under Sections 419 and 420 of IPC, in Crime No.15 of 2021 on the file of the respondent police, seeks anticipatory bail.

2.The case of the prosecution is that the petitioner along with other accused approached the defacto complainant and they proclaimed themselves as an officer of CBI police and further they proclaimed that the car bearing Registration No.TN 68 L7273 is available for selling and they sold the above said car to the defacto-complainant. The petitioner acted as an agent for above said sale consideration. Hence, the complaint.

3.The learned counsel for the petitioner submitted that the petitioner is innocent persons and he is falsely implicated in this



case. The petitioner has not committed any offence as alleged by the prosecution. He would further submit that this petitioner acted as a mediator in purchasing the car and he is not involved in the case and also submitted that the learned Principal District Judge, Ramanathapuram had granted anticipatory bail to the co-accused.

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4.The learned Government Advocate (Crl.Side) appearing for the respondent would submit that the petitioner was acted as mediator in the transaction and he was not directly involved in the above said occurrence of misappropriation.

5.Considering the facts and circumstances of the case and the grant of anticipatory bail to the co-accused by the Sessions Court, this Court is inclined to grant anticipatory bail to the petitioner, however, with stringent conditions.

6.Accordingly, the petitioner is ordered to be released on bail in the event of arrest or his appearance, before the learned Judicial Magistrate, Kamuthi, 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 the petitioner shall appear before the respondent police on every Saturday at 10.30 am until further orders. The petitioner shall comply with the conditions stipulated under Section 438 Cr.P.C. scrupulously.

7.The petitioner shall appear before the concerned Magistrate within a period of fifteen days from the date on which the order copy made ready, failing which, the petition for anticipatory bail stands dismissed.

Sd/-
09/12/2021

/ TRUE COPY /

/ /2022
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

1. THE JUDICIAL MAGISTRATE, KAMUTHI.

2. DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
RAMANATHAPURAM DISTRICT



3. THE INSPECTOR OF POLICE,
KOVILANGULAM POLICE STATION,
RAMANATHAPURAM DISTRICT.

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

ORDER
IN
CRL OP (MD) No.16824 of 2021
Date : 09/12/2021

VB/JC/SAR-IV/05.01.2022/3P/5C