



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

Date : 13/12/2021

PRESENT

The Hon`ble Mr.Justice G.ILANGO VAN

CRL OP(MD). No.19158 of 2021

1. Avudaiappan
2. Devi
3. Jeleela
4. Agasthiyan

... Petitioners/Accused
Rank Not Known

Vs

State Rep.by
The Inspector of Police,
Perungudi Police Station,
Madurai District.
Crime No.Not Known of 2021.

...Complainant/ Respondent

For Petitioners: Mr.D.Balamurugapandi,
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. of 2021 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioners apprehending arrest at the hands of the respondent police for the offences punishable under sections 420 of I.P.C., in Crime No. not known of 2021 on the file of the respondent police, seek anticipatory bail.

2.When the matter is taken up for hearing, the learned Government Advocate (Crl. Side) submitted that so far no case has been registered against these petitioners. Based on the complaint given by the defacto complainant only petition enquiry is pending.

3.It is stated that on the earlier occasion, when the petitioners moved similar petition seeking anticipatory bail, on that day it was informed that no case was pending.

4.Later on another occasion, he has filed a petition seeking a
<https://hcservices.courts.gov.in/hcservices/> direction not to harass the petitioners under the guise of enquiry.



That petition was also came to be disposed of on 23.03.2021, with instructions to the petitioners to appear before the respondent police and co-operate to complete the enquiry.

5.Now when they appeared before the respondent police, they informed the petitioners that they would close the enquiry, since it is a money dispute. Now on the very same enquiry, the petitioner has been harassed to settle the issue. Since no case has been registered so far against the petitioner, he has to workout his remedy if any trouble arises in future.

6.The learned Government Advocate (Crl. Side) submitted that it is a money dispute between the defacto complainant and the petitioners herein. Since it is purely money dispute, the respondent may close the complaint directing the parties to workout their remedy through proper civil proceedings.

7.With the above directions, this Criminal Original Petition is disposed of.

sd/-
13/12/2021

/ 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 INSPECTOR OF POLICE,
PERUNGUDI POLICE STATION,
MADURAI DISTRICT.

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

+1 CC to M/s.D.BALAMURUGAPANDI, Advocate (SR-9205[I] dated 14/12/2021)

ORDER
IN
CRL OP(MD) No.19158 of 2021
Date :13/12/2021

TM

<https://hmcsls.csls.gov.in/Services/1.2022/2P.4C>