



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 31/01/2022

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PRESENT

The Hon`ble Mr.Justice G.ILANGO VAN

CRL OP(MD). No.978 of 2022

1. Chellapandian,

2. Velusamy,

... Petitioners/Accused

Vs

THE STATE REP BY
Sub Inspector of Police,
Jeyamangalam Police Station,
Theni.(Crime No. of 2022).

... Respondent/Complainant

For Petitioners: M/s.Ajmalkhan S A,
Advocate.

For Respondent : RMS.Sethuraman,
Additional Public Prosecutor

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

PRAYER :-

For Anticipatory Bail in Crime No. of 2022 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioners/Accused, apprehending arrest at the hands of the respondent police for the alleged offence punishable under Sections 294(b), 406 and 420 IPC, in Crime No. Not Known of 2022 on the file of the respondent police, seek anticipatory bail.

2. The case of the prosecution is that the second petitioner borrowed a sum of Rs.5 lakhs from one Murugan, who is the defacto complainant herein. For that amount, he executed a registered mortgage deed for 5 months in his favour. As per the mortgage deed, interest was fixed for the above said amount. But, the defacto complainant demanded more interest from the petitioners. When the same was refused, trouble arose between them.



3. The learned counsel for the petitioners would submit that the petitioners are innocent and they have been falsely implicated in this case. Hence, he prays to grant of anticipatory bail to the petitioners.

4. The learned Additional Public Prosecutor would submit that on the complaint given by one Ramesh, a case has been registered against the petitioners. The petitioners have cheated an amount from the defacto complainant by promising to secure a Government Job in Periyakulam Court, Theni. He would further submit that even though, based on the complaint given by the defacto complainant, summon has been issued to the petitioners, they did not appear before the Investigating Officer.

5. The learned counsel for the petitioners would submit that the above said complainant namely, Murugan is otherwise called 'Ramesh'. There was a money transaction between the petitioners and the above said complainant.

6. Whatever it may be, since the summon has been issued by the respondent police, the petitioners are directed to appear before the Investigating Officer and co-operate with him to complete the investigation. During the course of enquiry, if any trouble arises, the petitioners shall work out their remedy through appropriate proceedings.

7. In view of the above, grant of anticipatory bail may not arise. Accordingly, this Criminal Original Petition is dismissed.

sd/-
31/01/2022

/ TRUE COPY /

/ /2022
Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

DSS

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 Sub Inspector of Police,
Jeyamangalam Police Station, Theni.

<https://hcservices.ecourts.gov.in/hcservices/>



2. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

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