



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 21/01/2022

WEB COPY

PRESENT

The Hon`ble Mrs.Justice R.THARANI

CRL OP(MD) . No.980 of 2022

K.Manavalan

... Petitioner/Accused No.1

Vs

1. State rep.by

The Inspector of Police,
South Gate (Law and Order)
Police Station,
Madurai District.

(Crime No. 207 of 2019).

... 1st Respondent/Complainant

2. L. Madanlal

...2nd Respondent/Defacto
Complainant

For Petitioner : M/s.G.Anto Prince, Advocate

For Respondent : M/s.RM.Sethuraman,
Additional Public Prosecutor

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

PRAYER :-

For Anticipatory Bail in Crime No. 207 of 2019 on the file of the respondent Police.

ORDER : The Court made the following order :-

The petitioner apprehending arrest at the hands of the respondent police for the offences punishable under Sections 294(b), 506(i), 406 and 420 of I.P.C., in Crime No.207 of 2019, on the file of the respondent police, seeks anticipatory bail.

2.The case of the prosecution is that there is a balance amount of Rs.10,00,000/- to be paid by the petitioner. When the same was demanded by the defacto complainant, the petitioners scolded the



defacto complainant in filthy language and threatened her with dire consequences. Hence, the case was registered against the petitioner.

3. The learned counsel for the petitioner submits that actual consideration is Rs.33,00,000/-, the petitioner obtained loan for a sum of Rs.36,00,000/- including the sum needed for the Registration charges. But, the defacto complainant is claiming the entire amount as consideration. The petitioner settled the entire amount by way of Demand Draft for a sum of Rs.7,00,000/-. Co-accused in this case was already granted anticipatory bail and prayed the petitioner to be released on anticipatory bail.

4. The learned Additional Public Prosecutor would submit that the occurrence date is 12.03.2019 and reported on 30.05.2019. Rs.10,00,000/- is yet to be received from the petitioner by the defacto complainant, when the defacto complainant demanded the balance amount, the petitioner and another accused scolded the defacto complainant in filthy language and threatened with dire consequences and the petitioner and other accused are cheating the defacto complainant. But, he fairly admits that the co-accused/A1 in this case, already granted anticipatory bail in CrI.O.P.(MD)No.13896 of 2019, on 03.10.2019. The petitioner is arrayed as A2.

5. In view of the submission made by both the parties and considering the facts and circumstances of the case and also considering the fact that the problem involved is civil in nature, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions. Accordingly, petitioner is ordered to be released on bail in the event of arrest or on his appearance before the learned Judicial Magistrate No.IV, Madurai, 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 am., until further orders. The petitioner shall comply with the conditions stipulated under Section 438 Cr.P.C scrupulously.

6.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/-
21/01/2022

/ TRUE COPY /

/ /2022

Sub-Assistant Registrar (C.S.III)
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 NO.IV,
MADURAI.
 2. -DO- THROUGH
THE CHIEF JUDICIAL MAGISTRATE,
MADURAI.
 3. THE INSPECTOR OF POLICE,
SOUTH GATE (L & O) POLICE STATION,
MADURAI DISTRICT.
 4. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.
- +1. CC to M/S. ANTO PRINCE.G. Advocate SR.No.2238(F)

ORDER
IN
CRL OP(MD) No.980 of 2022
Date :21/01/2022

SP/VR/SAR III/27/01/2022/3P/6C