



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 04/02/2022

WEB COPY

PRESENT

The Hon'ble Mr.Justice G.ILANGO VAN

CRL OP(MD) . No.1166 of 2022

S.Sri Hariharan

... Petitioner/Accused No.2

Vs

State Rep.by
The Inspector of Police,
Subramaniapuram Police Station,
Madurai City.
(Crime No.23/2022).

... Respondent/Complainant

For Petitioner : M/s.M.ESWARAN
Advocate.

For Respondent : Mr.RMS.Sethuraman
Additional Public Prosecutor

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

PRAYER :-

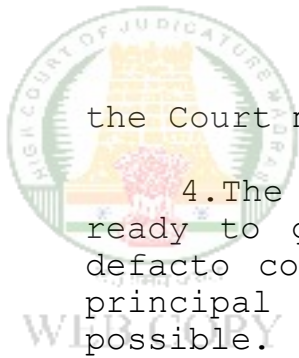
For Anticipatory Bail in Crime No.23/2022 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioner/Accused No.2, apprehending arrest at the hands of the respondent police for the alleged offences punishable under Sections 120(b), 406, 420 and 506(i) of IPC in Crime No.23 of 2022 on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that there exists a civil dispute with regard to the sale transaction between the defacto complainant and the petitioner. In respect of that, a suit has also been filed by the defacto complainant claiming return of the sale amount. But in this petition, the suit particulars is not available. The co-accused namely accused Nos.1,3 and 4 have moved anticipatory bail before this Court in Crl.O.P.(MD)No.1133 of 2022 by order dated 21.01.2022, anticipatory bail was granted to the co-accused.

3.Since this petitioner is also standing in the very same footing and considering the fact that it is a civil dispute, this Court is inclined to grant relief to the petitioner. At this issue,



the Court made a query with regard to the possibility of settlement.

4.The learned counsel for the petitioner submitted that he is ready to give a sum of Rs.24 Lakhs by a Demand Draft. But the defacto complainant claims exorbitant interest, for the above said principal amount. Only because of that, a settlement was not possible.

5.Accordingly, this Criminal Original Petition is allowed and 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, on condition that the petitioner shall execute 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 daily at 10.30 a.m. until further orders. The petitioner shall comply with the condition 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 stands dismissed.

sd/-
04/02/2022

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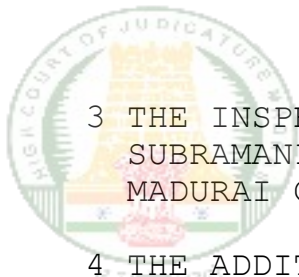
/ /2022
Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

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 NO.IV,
MADURAI.

2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
MADURAI DISTRICT.



3 THE INSPECTOR OF POLICE
SUBRAMANIAPURAM POLICE STATION,
MADURAI CITY, MADURAI.

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

ORDER

IN

CRL OP(MD) No.1166 of 2022

Date :04/02/2022

RS/VR/SAR.4(14.02.2022) 3P-5C