WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 12/07/2022

PRESENT

The Hon`ble Mr.Justice G.ILANGOVAN

CRL OP(MD). No.12529 of 2022

M.Venkatesan, ... Petitioner/Accused No.2

Vs

State Rep.by
The Inspector of Police,
Cantonment Police Station (Crime),
Trichy City.
Crime.No.1039 of 2022. ... Respondent/Complainant

For Petitioner : Mr.D.Baskar,Advocate.

For Respondent : Mr.R.M.Anbunithi,
Additional Public Prosecutor

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

PRAYER :-
For Anticipatory Bail in Crime No. 1039 of 2022 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 417 and 420 of IPC, in Crime No.1039 of 2022, on the file of the respondent police, seeks anticipatory bail.

2.The case of the prosecution is that on 20.09.2021, a consignment worth about Rs.3,00,000/-(Rupees Three Lakhs only) that was transported to Trichy through the travel agency namely SRS travels, the petitioner is working as driver in the said travel agency. On 06.11.20220, the defacto complainant approached the first accused for delivery of the goods, he told that come after two days. After two days, when the defacto complainant went to the travel agency, the petitioner herein had told that the said goods were mistakenly taken to Thanjavur and assured that the goods will be brought to Trichy within two days. Later, the defacto complainant

https://www.mhc.tn.gov.in/judis

went to the said office, the accused persons have not given proper answer. Thereafter, he filed a case against this petitioner.

3.The learned counsel for the petitioner submits that the petitioner is an innocent, he has not committed any offence as alleged by the prosecution, but he has been falsely implicated in this case. He would further submit that the petitioner is working as a driver in the travel agency and he is delivered the goods as located and he is no way responsible for the above said consignment and the delivery issues. He would further submit that it is a dispute between the customer and the travel agency with regard to non -delivery of the goods.

4. Heard the learned Additional Public Prosecutor appearing for the respondent police.

5.Considering the facts and the circumstances of this case and also the limited role that has been alleged by this petitioner, this Court is inclined to grant 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 No.II, Tirchy, 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. The petitioner shall appear before the respondent police on every Saturday at 10.30 am until further orders and to co-operate with him to complete the process of the investigation. 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/-
12/07/2022

/ TRUE COPY /

/07/2022

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

tta

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.

WEB COPY
https://www.mhc.tn.gov.in/judis

WEB COPY

TO

1 THE JUDICIAL MAGISTRATE NO.II,
TRICHY.

2 DO THROUGH:
THE CHIEF JUDICIAL MAGISTRATE`,
TRICHY DISTRICT.

3 THE INSPECTOR OF POLICE
CANTONMENT POLICE STATION (CRIME),
TRICHY CITY.

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

ORDER
IN
CRL OP(MD) No.12529 of 2022
Date :12/07/2022

PKP/SVR/SAR-3/27.07.2022/3P/5C

https://www.mhc.tn.gov.in/judis