



WEB COPY

CRL OP(MD). N



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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 12/09/2022

PRESENT

The Hon`ble Mrs.Justice R.THARANI

CRL OP(MD). No.16372 of 2022

Joseph

... Petitioner/Sole Accused

Vs

The State rep.by,
The Sub Inspector of Police,
District Crime Branch,
Thoothukudi District.
Crime No.34 of 2021.

... Respondent/Complainant

For Petitioner : M/s.Pragalathan.N,
Advocate.

For Respondent : Mr.E.Antony Sahaya Prabahar,
Additional Public Prosecutor

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

PRAYER :-

For Anticipatory Bail in Crime No.34 of 2021 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioner/Sole Accused, who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 420, 294(b) and 506(1) of IPC in crime No.34 of 2021 on the file of the respondent police, seeks anticipatory bail.

2.The case of the prosecution is that the petitioner purchased a lorry on condition that the petitioner should pay the remaining installment amount to the Finance Company and to pay Rs.1,00,000/- to the de-facto complainant. While handing over the said lorry, the de-facto complainant received a sum of Rs.40,000/- from the petitioner and the remaining amount of Rs.60,000/- has to be paid on or before 05.11.2019. But the petitioner, did not repay the installment amount he mortgaged the said lorry with one Balamurugan and received a sum of Rs.2,00,000/-. Hence, the complaint.

<https://www.mhc.tris.gov.in/judis> On the side of the petitioner, it is stated that the



petitioner is innocent and a false case was foisted against the petitioner and prayed the petitioner to be released on anticipatory bail.

4. On the side of the prosecution, it is stated that the petitioner is having five previous cases and the vehicle is yet to be secured and prayed the petition to be dismissed.

5. Considering the seriousness and gravity of the offence alleged and on considering the fact that the petitioner is having five previous cases and also considering the fact that the vehicle is yet to be secured, this Court is not inclined grant anticipatory bail to the petitioner.

6. Accordingly, this Criminal Original Petition is dismissed.

sd/-

12/09/2022

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/09/2022

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

SJI

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,
District Crime Branch,
Thoothukudi District.
2. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

ORDER

IN

CRL OP(MD) No.16372 of 2022

Date : 12/09/2022

RK/SVR/SAR-1 (20/09/2022) 2P/3C