



WEB COPY



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 10/11/2022

PRESENT

The Hon`ble Mr.Justice A.A.NAKKIRAN

CRL OP(MD) . No.16510 of 2022

M.Murugesan

... Petitioner/Accused

Vs

State rep.by
The Inspector of Police,
District Crime Branch,
Virudhunagar District.
(Crime No.18 of 2021).

... Respondent/Complainant

Dhanalakshmi

... Intervener/Defacto
Complainant
(in Crl.M.P. (MD) No.11601/2022)

For Petitioner : M/s.Mareeskumar E, Advocate.

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

For Intervenor : M/s.S.Poornachandran, Advocate

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

PRAYER :-

For Anticipatory Bail in Crime No.18 of 2021 on the file of the Respondent police.

ORDER : The Court made the following order :-

The petitioner/Accused, who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 409, 420, 465, 468, 471 and 506(i) IPC, in Cr.No.18 of 2021, seeks anticipatory bail.



2.The case of the prosecution is that all the accused approached the de-facto complainant and introduced themselves as a Central Government Employees and on believing their words, the de-facto complainant distributed some grocery and dal items to all the accused. Thereafter, there was some transactions between the de-facto complainant and the accused persons and the accused persons were repaid a sum of Rs.2 crore and 15 lakhs to the de-facto complainant and the remaining amount of Rs.2,86,07,400/- was not paid by the accused. Thereafter, the de-facto complainant approached the accused to get back the balance amount, at that time, there was a wordy quarrel between them. Hence, the complaint.

3.The learned counsel for the petitioner would submit that the petitioner is innocent and he has not committed any offence as alleged by the prosecution. He would further submit that A1, A2 and A4 approached the petitioner and gave a false assurance to secure job in the Central Government and also used him in the alleged occurrence. Hence, he prays for anticipatory bail.

4.The learned Additional Public Prosecutor would submit that all the accused approached the de-facto complainant and introduced themselves as a Central Government Employees, they purchased some grocery and dal items to the tune of Rs.5 Crores and a sum of Rs.2,15,00,000/- was already paid to the de-facto complainant and thereafter, the accused not paid balance amount and cheated the de-facto complainant. The investigation is still pending and the custodial interrogation of the petitioner is required in this case. Hence, he prayed for dismissal of this petition.

5.The learned counsel for the intervenor vehemently opposed for grant of anticipatory bail to the petitioner.

6.Considering the gravity and nature of the offence and also considering the amount involved in this case is very huge and also the fact that the investigation is still pending and the custodial interrogation of the petitioner is very much necessary in this case, this Court is not inclined to grant anticipatory bail to the petitioner.

7.Accordingly, this Criminal Original Petition is dismissed.

Sd/-
10/11/2022

/ TRUE COPY /

/11/2022
Sub-Assistant Registrar (C.S.III)
Madurai Bench of Madras High Court,
Madurai - 625 023.



1. THE INSPECTOR OF POLICE,
DISTRICT CRIME BRANCH,
VIRUDHUNAGAR DISTRICT.

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

+1. CC to M/S. MAREESKUMAR E Advocate SR.No.54776

ORDER
IN
CRL OP(MD) No.16510 of 2022
Date :10/11/2022

SP/BUC/SAR III/22/11/2022/3P/4C