



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)
Dated: 12/01/2022

PRESENT

The Hon'ble Mr.Justice G.ILANGO VAN

Crl.OP(MD)No.20689 of 2021

WEB COPY

Marikani

: Petitioner/Accused No.8

Vs.

State Rep.by
The Station House Officer,
Amathur Police Station,
Virudhunagar District.
(Crime No.21 of 2014)

: Respondent/Complainant

For Petitioner : Mr.RM.Arun Swaminathan, Advocate
For Respondent : Mr.SS.Madhavan
Government Advocate(Criminal side)

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

PRAYER :- For Anticipatory Bail in Crime No.21 of 2014 on the file of the Respondent Police.

ORDER : The Court made the following order:-

The petitioner, who is arrayed as A8 apprehending arrest at the hands of the respondent police for the alleged offences under sections 406, 409, 420, 120(B) of IPC, in Crime No.21 of 2014, seeks anticipatory bail.

2.The case of the prosecution is that the de-facto complainant was cheated by the building contractor, who is the petitioner herein, with the connivance of the other accused persons.

3.This petitioner is a licensed building surveyor. Seeking anticipatory bail, the petitioner filed this petition on the ground that this petitioner is a registered building licensed surveyor with the Virudhunagar Municipality, since 2000. In 2015, the Inspector of Police, the respondent herein, called him for enquiry and thereafter, there was no communication.

4.The learned Government Advocate (Criminal side) appearing for the respondent would submit that based upon the complaint given by the de-facto complainant, this petitioner has also been arrayed as an accused.

5.Since it is the matter of the year 2014, the major portion of the investigation might have been over by this time and no purpose



is going to be served by making the petitioner for custodial interrogation. More over, it appears that the complaint is based upon the documentary evidence.

6.Considering the limited role that has been allegedly played by this petitioner, this court is inclined **to grant anticipatory bail to the petitioner** with certain conditions.

7.Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on his appearance before the learned Judicial Magistrate No.II, Virudhunagar 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 the petitioner shall appear before the respondent police once in 15 days at 10.00 a.m. until further orders. The petitioner shall comply with the condition stipulated under Section 438 Cr.P.C. scrupulously. 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 will stand dismissed.

sd/-

12/01/2022

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

TO

- 1 THE JUDICIAL MAGISTRATE NO.II,
VIRUDHUNAGAR.
- 2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
VIRUDHUNAGAR DISTRICT AT SRIVILLIPUTHUR.
- 3 THE STATION HOUSE OFFICER
AMATHUR POLICE STATION,
VIRUDHUNAGAR DISTRICT.
- 4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.

ORDER IN

CRL OP(MD) No.20689 of 2021

Date :12/01/2022

RS/VR/SAR.2(20.01.2022) 2P-5C