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CRL OP(MD).



22

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 08/03/2023

PRESENT

The Hon`ble Mr.Justice G.K.ILANTHIRAIYAN

CRL OP(MD) . No.2230 of 2022

Silambarasu,

... Petitioner/Sole Accused

-Vs-

State Rep.by
The Inspector of Police,
City Crime Branch,
Trichy District.
Cr.No.1 of 2022.

...Respondent/Complainant

Midhun Shamesh,
(R2 is suo-motu impleaded as per order of
this Hon'ble Court dated 16.02.2022 in Crl OP
(MD)No.2230/2022 by KMSJ).

...Petitioner/Intervener
in CRL MP(MD)No.4197/2022

For Petitioner : M/s. Joel Paul Antony.A.,Advocate.

For Respondent : Mr.R.M.Anbunithi,
Additional Public Prosecutor (crl.side)

For Intervenor : Mr.M.Sankar, Advocate
in CRL MP(MD)No.4197/2022

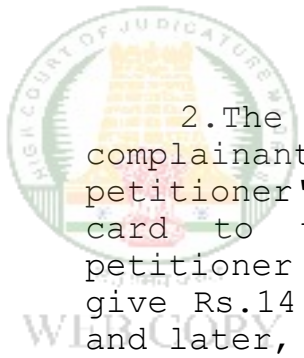
PETITION FOR ANTICIPATORY BAIL Under Sec.438 of Cr.P.C

PRAYER :-

For Anticipatory Bail in Crime No.1 of 2022 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
417, 420 and 506(i) of I.P.C., in Crime No.1 of 2022 on the file of
the respondent police, seeks anticipatory bail.



2.The case of the prosecution the petitioner and the complainant are friends. Due to financial situation of the petitioner's family, the de-facto complainant had given his credit card to the petitioner. The further allegation is that the petitioner had induced the de-facto complainant stating that if he give Rs.14 lakhs, he would pay double and had received Rs.14 lakhs and later, cheated him. Hence, the case.

3.Heard. Perused the materials available on record including the First Information Report.

4.It is seen that the petitioner and the de-facto complainant are friends. Due to financial circumstances, the de-facto complainant handed over his credit card to the petitioner and the petitioner, by using the same, had taken Rs.15,50,000/- and thereafter, failed to return the amount. Now the investigation has been completed and the charge sheet has already been laid before the concerned Court. Therefore, the custodial interrogation of the petitioner is very much necessary in this case.

5.Taking note of the serious allegations made against the petitioner and also the fact that the custodial interrogation of the petitioner is very much required in this case, this court is not inclined to grant anticipatory bail to the petitioner.

6.Accordingly, this Criminal Original Petition is dismissed.

sd/-

08/03/2023

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/03/2023

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

SJI
TO

1 THE INSPECTOR OF POLICE
CITY CRIME BRANCH,
TRICHY DISTRICT.

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

ORDER
IN
CRL OP(MD) No.2230 of 2022
Date :08/03/2023

PKP/CG/SAR-3/23.03.2023/ **2P/3C**