



WEB COPY

CRL OP(MD).



23

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 27.04.2023

PRESENT

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

CRL OP(MD) . No.7880 of 2023

N.Manikandan

... Petitioner/Accused 1

Vs

State rep. ,by
The Inspector of Police,
Economic Offence Wing,
Pudukkottai District.
(Crime No.5 of 2023)

... Respondent/Complainant

For Petitioner : Mr.M.Suresh, 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.5/2023 on the file of the Respondent police.

ORDER : The Court made the following order :-

The petitioner/A1, who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 406 and 420 of IPC, in Crime No.5 of 2023 on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that the petitioner along with A2 had approached the defacto complainant and asked him to invest money to market business and assured to pay the interest and shares profit of market business. The defacto complainant also given a sum of Rs.58 Lakhs to the petitioner and others. The petitioner repaid a sum of Rs.10 Lakhs only and remaining amount was not repaid. Hence, the case.

3. Heard both sides and perused the materials available on record including the First Information Report.



4. It is seen that originally the FIR has been registered in Crime No.618 of 2019 on the file of the Inspector of Police, Aranthangi Police Station. In pursuant to the registration of FIR, the petitioner was arrested and remanded to judicial custody. Subsequently, he was granted bail in Cr.M.P.No.432 of 2020 dated 29.04.2020. Thereafter, the entire investigation has been transferred to the file of the respondent herein and renumbered the FIR in Crime No.5 of 2023. While investigation, the respondent issued notice under Section 41(A) of the Code of Criminal Procedure to the petitioner. Therefore, again the petitioner apprehends arrest at the hands of the respondent police and filed this petition for anticipatory bail.

5. It is made clear that already the petitioner was arrested and released on bail in the very same offence, which was originally registered by Aranthangi Police Station. Therefore, no question of arrest of the petitioner once again in the very same crime. However, if the respondent police issued any summons, the petitioner is directed to appear before the respondent police for investigation purpose.

6. With the above observation, the Criminal Original Petition is disposed of.

sd/-

27/04/2023

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/05/2023

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

RMK

TO

- 1 THE INSPECTOR OF POLICE,
ECONOMIC OFFENCE WING,
PUDUKKOTTAI DISTRICT.
- 2 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.

ORDER

IN

CRL OP(MD) No.7880 of 2023

Date :27/04/2023

SA/MMS/SAR.2/16.05.2023/2P/3C