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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)

Date : 18/08/2023

PRESENT

The Hon`ble Mr.Justice G.ILANGO VAN

CRL OP(MD). No.14563 of 2023

Thiyagu @ Thiyagarajan

... Petitioner/ Accused No.2

Vs

The State represented by
The Inspector of Police,
Melur Police Station,
Madurai District.
Crime No.468 of 2023..

... Respondent/Complainant

For Petitioner : M/s.Bhagavath Singh G,
Advocate.

For Respondent : Mr.B.Nambiselvan,
Additional Public Prosecutor

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

PRAYER :-

For Anticipatory Bail in Crime No.468 of 2023 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 420 and 379 of I.P.C., in Crime No.

468 of 2023 on the file of the respondent police, seeks anticipatory bail.



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2.The complaint has been given by the defacto complainant stating that one Kishore Kumar @ Mukilan informed that his JCB is required for quarry operation, on 13.03.2023 on monthly rent basis. It was given to the above said Mukilan. Agreement was also entered between the parties. Subsequent to the above said agreement vehicle was also taken by them. After one month, he demanded the rent. But they failed. But Mukilan issued a cheque on 13.04.2023 with some corrections. It created suspicion. In spite of repeated contact he could not get anything from the accused. Later he came to know that the above said vehicle was dismantled and sold away. On that basis the above said case was registered.

3.Seeking anticipatory bail, this petition has been filed by this petitioner, stating that even in the FIR no specific allegation or overt act is made against the petitioner.

4.The learned Additional Public Prosecutor would submit that during the course of investigation, it was found that only the petitioner introduced the above said Mukilan to the defacto complainant. Even though the summon has been issued to the petitioner, they have not appeared.

5.Let the petitioner appear before the respondent and co-operate with them to complete the process of enquiry and recovery of vehicle. I find no reason to entertain this petition. It was submitted that the vehicle was dismantled and sold away. Only after the enquiry, the fact will be came to light.



6. Accordingly, this criminal original petition stands dismissed.

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sd/-
18/08/2023

/ TRUE COPY /

/09/2023
Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

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TO

- 1 THE INSPECTOR OF POLICE
MELUR POLICE STATION,
MADURAI DISTRICT.
- 2 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.

ORDER
IN
CRL OP(MD) No.14563 of 2023
Date :18/08/2023

SS/VRS/05/09/2023/3P/3C

Madurai Bench of Madras High Court is issuing certified copies in this format from 17/07/2023