



CRL OP(MD). No.16624 of 2023

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

( Criminal Jurisdiction )

Date : 22/09/2023

PRESENT

The Hon`ble Mr.Justice G.ILANGO VAN

CRL OP(MD). No.16624 of 2023

R.G.Kumar @ R.Rajkumar

... Petitioner/ Accused No.3

Vs

The State, represented by  
The Inspector of Police,  
Thirukattupalli Police Station,  
Thanjavur District.  
(Crime No.44 of 2023).

... Respondent/Complainant

For Petitioner : Mr.R.Shankar Ganesh,  
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.44 of 2023 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioner/Accused No.3, apprehending arrest at the hands of the



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respondent Police for the alleged offence punishable under Sections 420 and 506(i) IPC, in Crime No.44 of 2023 on the file of the respondent Police, seeks anticipatory bail.

2. The case of the prosecution is that the defacto complainant lodged a complaint stating that by obtaining loan from Kotak Mahindra Bank, he purchased a tractor bearing Registration No. TN 49 TA 4861 in 2019. But later, he could not maintain the tractor. The first accused approached him promising to pay Rs.25,000/- as monthly rent for the said tractor on agreement basis, that was also given. But after some time, he failed to pay the rental amount and both Hariram and the vehicle could not be found. Similarly, one Pazhanisamy's vehicle was also received by the first accused, but later failed to pay the rent to him also. On one day, Hariram was secured and on enquiry, by making criminal intimidation, he absconded. On search, they found that the tractor is under custody of Kandhan S/o.Pakkiri and another tractor is under custody of one Shanmugam. On enquiry it has been stated that one R.G.Kumar and Kajendiran sold the above said vehicles to them. The above said R.G.Kumar, Kandhan and Kajendiran came to the spot and criminally intimidated the defacto complainant. Over the above said complaint, the case was registered.



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3. Seeking anticipatory bail this petition has been filed by the third accused on the ground that he acted as only a broker between the defacto complainant and purchaser and he never involved in the above said issue. The petitioner was directed to appear before the respondent and co-operate with him to complete the process of investigation. During the course of investigation, it was found that the accused Nos. 2 to 4 are also responsible for the above said sale of the vehicles with assistance of broker Sekar. Now all the vehicles have been recovered.

4. Even though it is submitted by the learned counsel for the petitioner that only he was acting as broker, but reading of the above said statement of the respondent shows that this petitioner also involved in the above said illegal activities.

5. Considering the facts and circumstances of this case and even though the petitioner is involved in the previous cases, the vehicles have been recovered, this Court is inclined to grant anticipatory bail to the petitioner.

6. Accordingly, this Criminal Original Petition is allowed and petitioner is ordered to be released on bail in the event of arrest or on his appearance, before the



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learned Judicial Magistrate, Thiruvaiyar, Thanjavur District, on condition that the petitioner shall execute 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 daily at 10.30 a.m. until further orders. The petitioner shall comply with the condition stipulated under Section 438 Cr.P.C. scrupulously.

7. 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 stands dismissed.

sd/-  
22/09/2023

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/10/2023  
Sub-Assistant Registrar (C.S. )  
Madurai Bench of Madras High Court,  
Madurai - 625 023.

INDU

TO

- 1 THE JUDICIAL MAGISTRATE,  
THIRUVAIYAR, THANJAVUR DISTRICT.
- 2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,  
THANJAVUR DISTRICT AT KUMBAKONAM.



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3 THE INSPECTOR OF POLICE  
THIRUKATTUPALLI POLICE STATION, THANJAVUR DISTRICT.

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

+1 CC to M/s.R.SHANKAR GANESH, Advocate ( SR-14119[I] dated 25/09/2023 )

ORDER  
IN  
CRL OP(MD) No.16624 of 2023  
Date :22/09/2023

SS/MGA/05/10/2023/5P/6C

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