



CRL OP(MD) No.2534 of 2024

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

Friday, the First day of March Two Thousand and Twenty Four

PRESENT

The Hon`ble Mr.Justice M.DHANDAPANI

CRL OP(MD) No.2534 of 2024

K.MUTHAIAH

... PETITIONER / RANK NOT KNOWN

Vs

THE INSPECTOR OF POLICE
SOMANATHAPURAM POLICE STATION,
SIVAGANGAI DISTRICT.

CRIME NO. NOT KNOWN OF 2024 ... RESPONDENT / COMPLAINANT

For Petitioner : M/S.KAMATCHI.M Advocate

For Respondent : Mr.P.KOTTAICHAMY, Govt. Advocate (CrI. Side)

PETITION FOR ANTICIPATORY BAIL Under Sec. 439 Cr.P.C.

PRAYER:- FOR ANTICIPATORY BAIL IN CRIME NO. NOT KNOWN OF 2024
ON THE FILE OF THE RESPONDENT POLICE.

ORDER : The Court Made the following order :-

The petitioner, who apprehends arrest at the hands of the respondent Police for the offence punishable under Sections 420, 406 and 506(II) of IPC in Crime No.(Not known), seeks anticipatory bail.



CRL OP(MD) No.2534 of 2024

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2. Heard the learned counsel appearing for the petitioner and the learned Government Advocate (Crl.Side) appearing for the respondent.

3.It is the case of the prosecution that the petitioner purchased a car from one Mahendran on payment of Rs.2,00,000/-. However, it was handed over without any RC book and the car was given under a sale deed. While so, a complaint has been preferred by Mahendran on the pretext that the petitioner has cheated him.

4. When the matter is taken up for hearing, the learned Government Advocate (Crl.Side) appearing for the respondent Police submitted that petition enquiry is pending against the petitioner.

5. The learned counsel for the petitioner would submit that the petitioner is an innocent person and both the petitioner and the de-facto complainant are friends and on that strength, the de-facto complainant has handed over the car in question.

6. When the matter was taken up in the morning session, the case was passed over for the owner of the car to be present before this court. Accordingly, when it was subsequently taken at 1.30 p.m., the owner of the car was present and the key of the car in question has been handed over to the owner, viz., Syed Ali Fathima and a sum of Rs.1,50,000/- has been handed over to the petitioner herein by the de-facto complainant's wife on behalf of the de-facto complainant. It is also submitted that there are money transactions between the petitioner and the de-facto complainant.



CRL OP(MD) No.2534 of 2024

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7. In view of the above submission made by the learned Government Advocate (Crl.Side), the respondent Police is directed to complete the enquiry, within a period of two weeks from the date of receipt of a copy of this order and in the enquiry, if a prima facie case is made out against the petitioner, the respondent police shall register the First Information Report, else the petition be closed. For the other dispute pending between the parties, the petitioner and the de-facto complainant shall workout their remedy in the manner known to law.

8. This Criminal Original Petition is disposed of accordingly.

sd/-
01/03/2024

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/03/2024
Sub-Assistant Registrar
(C.S. I / II / III / IV)
Madurai Bench of Madras High Court,
Madurai - 625 023.

RR
TO

1 THE INSPECTOR OF POLICE
SOMANATHAPURAM POLICE STATION,
SIVAGANGAI DISTRICT.

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

+1 CC to M/s.S.RAMESH KUMAR, Advocate (SR-2672[I] dated 04/03/2024)



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ORDER
IN
CRL OP(MD) No.2534 of 2024
Date :01/03/2024

SA/VR/SAR. /12.03.2024/4P/4C

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