



CRL OP(MD).No.5943 of 2024

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 17.04.2024

PRESENT

The Hon`ble Mr.Justice B.PUGALENDHI

CRL OP(MD).No.5943 of 2024

Siva Surya @ Surya

... Petitioner/Sole Accused

Versus

State represented by
The Inspector of Police,
Alangulam Police Station,
Virudhunagar City
Crime No.142 of 2021

... Respondent/Complainant

For Petitioner : Mr.G.Karuppasamypandiyan, Advocate

For Respondent : Mr.B.Thanga Aravindh
Government Advocate (Crl. side)

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

PRAYER :-

For Anticipatory Bail in Crime No.142 of 2021 on the file of the Respondent Police.



CRL OP(MD).No.5943 of 2024

ORDER : The Court made the following order :-

WEB COPY

The petitioner, apprehending arrest at the hands of the respondent Police, in connection with a case in Crime No.142 of 2021, for the offence punishable under Sections 406 and 420 of IPC, has filed this petition seeking anticipatory bail.

2. The case of the prosecution is that the de-facto complainant had approached the petitioner to get a car loan and a driver job. The petitioner demanded a sum of Rs.10,000/- for car loan and also he had borrowed the landed property from the de-facto complainant without any capital. However, the petitioner had cheated the de-facto complainant without getting a job nor he returned the money. Hence, the case.

3. The learned counsel appearing for the petitioner submits that the petitioner had borrowed a sum of Rs.50,000/- and he was not able to repay the said amount. It is a case of money dispute and it has been deliberately converted into a criminal case. The petitioner is an innocent person and he has not committed any offence as alleged by the prosecution. Hence, he prays for grant of anticipatory bail to the petitioner.

4. The learned Government Advocate (Crl. side) for the respondent strongly



CRL OP(MD).No.5943 of 2024

opposes for grant of anticipatory bail on the ground that the investigation is yet to be completed.

5. Considering the nature of allegation and also considering the antecedent of the case, this Court is inclined to grant anticipatory bail to the petitioner.

6. Accordingly, this Criminal Original Petition is ordered and the petitioner is ordered to be released on bail in the event of his arrest or on his appearance within a period of fifteen days from the date of receipt of a copy of this order, before the learned Judicial Magistrate No.II, Sattur, on condition that

(i) the petitioner execute a bond for a sum of Rs.25,000/- (Rupees Twenty Five Thousand, with two sureties each for a like sum to the satisfaction of the learned Judicial Magistrate No.II, Sattur.

(ii) The petitioner and the sureties shall submit a copy of their Aadhaar Card or any other identity card issued by the government in proof of their residence address;

(iii) The petitioner shall appear before the respondent police daily at 10.30 am for a period of two weeks for interrogation. He has to co-operate for the investigation.



CRL OP(MD).No.5943 of 2024

WEB COPY

(iv) The petitioner shall not misuse the liberty granted to him by indulging in any further offence and shall not tamper with the prosecution witnesses.

(v) On violation of any of the above conditions by the petitioner, the respondent police shall move an application for cancellation of the anticipatory bail.

sd/-
17/04/2024

/ TRUE COPY /

/04/2024

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

jbr

TO

1. THE JUDICIAL MAGISTRATE NO.II, SATTUR.
- 2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
VIRUDHUNAGAR DISTRICT @ SRIVILLIPUTTUR.
- 3.THE INSPECTOR OF POLICE,
ALANGULAM POLICE STATION,
VIRUDHUNAGAR CITY
- 4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.



WEB COPY



CRL OP(MD).No.5943 of 2024

ORDER

IN

CRL OP(MD) No.5943 of 2024

Date :17/04/2024

RK/VR(29/04/2024) 5P / 5C

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