



CRL OP(MD). No.7858 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 28/06/2024

PRESENT

The Hon`ble Mr.Justice B.PUGALENDHI

CRL OP(MD). No.7858 of 2024

and

CRL MP(MD). No.5948 of 2024

R Niranjn Kumar

... Petitioner/Sole Accused

Vs

The Inspector of Police,
CCB,
Heber Road, Bheema Nagar,
Tiruchirappalli City 620 001.
Crime No.9 of 2024.

... Respondent/Complainant

For Petitioner : M/s. Barathan.J,Advocate

For Respondent : Mr.P.Kottai Chamy,

Government Advocate (Crl.Side)

For Intervenor : Mr.Janakiraman,Advocate

For Mediator : Mr.C.Muthu Saravanan, Advocate

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

PRAYER :-

For Anticipatory Bail in Crime No.9 of 2024 on the respondent police



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ORDER : The Court made the following order :-

The petitioner, apprehending arrest at the hands of the respondent Police, in connection with a case in Crime No.09 of 2024, for the offence punishable under Sections 417, 420 and 506(i) IPC, has filed this petition seeking anticipatory bail.

2. The case of the prosecution is that the defacto complainant has paid a sum of Rs.2.13 Crores to the petitioner, for purchasing rice. However, the petitioner has neither supplied rice nor returned the amount. Hence, the case.

3. The learned counsel appearing for the petitioner submits that the petitioner is a rice merchant, who stationed at Trichy District and the defacto complainant is an exporter, who stationed at Vishakapattinam. The defacto complainant has contacted the petitioner for supply of rice and has paid a sum of Rs.2.11 Crores to the petitioner. The petitioner, in turn, has paid a sum of Rs.2.2 Crores to a merchant at Delhi. However, merchant at Delhi has cheated both the petitioner and the defacto complainant. Therefore, the petitioner is not in a position to pay the money to the defacto complainant and he is an innocent. Hence, he prays for grant of anticipatory bail to the petitioner.



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4.The learned Counsel for the intervenor claims that the Delhi merchant has returned a sum of Rs.60,00,000/- to the petitioner. However, the petitioner is not returning that money to the defacto complainant.

5.The learned Counsel for the petitioner submits that the petitioner has come forward with a proposal that to show his bonafide, the petitioner is also prepared to pay a sum of Rs.17,00,000/- to the defacto complainant herein.

6. The learned Government Advocate (Crl.Side) appearing for the respondent Police submits that no previous case is pending as against the petitioner.

7.Considering that it is only a business transaction, this Court has referred the matter to the Mediation Centre attached to this Bench and also appointed Mr.C.Muthu Saravanan as Mediator, who is a Senior Advocate, to mediate the issue. The Mediator has also filed a report that there is no possibility for settlement.

8. Considering the facts and circumstances of the case and also considering that the petitioner is also alleging that the Delhi merchant has cheated him, for which, he has also lodged a complaint and also, now he has come forward with a proposal to



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pay a sum of Rs.17,00,000/- to the defacto complainant, this Court is inclined to grant anticipatory bail to the petitioner.

9. Accordingly, this Criminal Original Petition is ordered. Consequently, the connected miscellaneous petition is closed. 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 concerned learned Judicial Magistrate on condition that

(i) the petitioner shall 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.I, Trichy District.

(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 until further orders for interrogation. He has to co-operate for the investigation.

(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.

10. The petitioner is directed to pay a sum of Rs.17,00,000/- to the defacto



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complainant on or before 05.07.2024.

11.For reporting compliance, post the matter on 05.07.2024.

12.This Court places its appreciation to the Mediator, who has taken best efforts in this case.

sd/-
28/06/2024

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/07/2024
Sub-Assistant Registrar
(C.S.I /II /III /IV)
Madurai Bench of Madras High Court,
Madurai - 625 023.

LR

TO

- 1 THE JUDICIAL MAGISTRATE NO.I
TRICHY DISTRICT.
- 2 DO-THROUGH :
THE CHIEF JUDICIAL MAGISTRATE,
TRICHY DISTRICT.
- 3 THE INSPECTOR OF POLICE
CCB,HEBER ROAD,
BHEEMA NAGAR,
TIRUCHIRAPPALLI CITY.



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

Copy to

1 THE CHIEF COORDINATOR,
MEDIATION AND CONCILIATION CENTRE,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI. (SOFT COPY)

2 MR.C.MUTHU SARAVANAN,
SENIOR ADVOCATE/MEDIATOR
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI

ORDER
IN

CRL OP(MD) No.7858 of 2024

Date :28/06/2024

PKP/GS/SAR /03.07.2024/ 6P/ 6C

Madurai Bench of Madras High Court is issuing certified
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