



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)
Tuesday, the Thirtieth day of August Two Thousand Eleven
PRESENT

The Hon`ble Ms.Justice R.MALA

CRL OP(MD) No.10872 of 2011

... PETITIONER/ACCUSED

R.ELANGO

WEB COPY

Vs

STATE REP.BY THE INSPECTOR OF POLICE
SRIRANGAM POLICE STATION,
TRICHY DISTRICT.
CRIME NO.NOT KNOWN OF 2010.

... RESPONDENT/COMPLAINANT

For Petitioner : M/S. R.A.S. ANANDARAJ Advocate
For Respondent : MR. A.RAMAR, Additional Public Prosecutor

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

ORDER : The Court Made the following order :-

The petitioner apprehends arrest at the hands of the respondent police for the alleged offences punishable under Sections 417 and 420 IPC., and hence, seek anticipatory bail.

2.Heard the learned counsel appearing for the petitioner and Mr.A.Ramar, learned Additional Public Prosecutor appearing for the State.

3.The learned Additional Public Prosecutor would submit that on the basis of the complaint given by the de-facto complainant, no case has been registered against the petitioner, only petition enquiry is pending.

4.Considering the submission of the learned Additional Public Prosecutor, I am not inclined to grant anticipatory bail to the petitioner. However, I am inclined to give a direction to the respondent not to harass the petitioner under the guise of petition enquiry. The respondent is directed to follow the dictum laid down in **D.K.Basu Vs. State of West Bengal** reported in **AIR(1997) SC 610**.

5.With the above direction, this Criminal Original Petition is disposed of.

sd/-
30/08/2011

/ TRUE COPY /

Sub-Assistant Registrar (C.S.)

TO

1.THE INSPECTOR OF POLICE, SRIRANGAM POLICE STATION, TRICHY DISTRICT.
2.THE PUBLIC PROSECUTOR, MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.
+1. CC to M/S. R.A.S. ANANDARAJ Advocate SR.No.29653

ORDER
IN
CRL OP(MD) No.10872 of 2011
Date :30/08/2011