



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

Wednesday, the Twenty First day of January Two Thousand Fifteen

PRESENT

The Hon`ble Mr Justice P.N.PRAKASH

CRL OP(MD) No.9179 of 2014

M. RAJENDRAN,

... PETITIONER/ACCUSED NO.1

Vs

THE INSPECTOR OF POLICE,
TALLAKULAM POLICE STATION,
MADURAI (CR. NO.401/2014)

... RESPONDENT/COMPLAINANT

SENTHOOR PANDIYAN

... INTERVENOR

For Petitioner : M/S.P.SURESH KUMAR Advocate

For Respondent : MR.A.P.BALASUBRAMANIAN, Govt. Advocate (Crl. Side)

For Intervenor : M/S.R.GANDHI, Advocate

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

ORDER : The Court Made the following order :-

The petitioner, who apprehends arrest at the hands of the respondent police for the alleged offences punishable under Sections 120(B), 406, 420, 506(ii) I.P.C. and Sections 3 & 4 of Tamil Nadu Prohibition of Charging of Exorbitant Interest Act, 2003 in Crime No.401 of 2014 on the file of the respondent police, seeks anticipatory bail.

2. Heard the learned Counsel for the petitioner and the learned Government Advocate(Crl.side).

3. This is the second anticipatory bail application and the first anticipatory bail application was dismissed on 17.04.2014 in Crl.O.P.(MD) No.7313 of 2014. It is the case of the defacto complainant that on 10.11.2010, he borrowed a sum of Rs.3Lakhs from the petitioner and gave a power of attorney in respect of his land. The defacto complainant alleges that he has been making periodical payments towards principal and interest and on 30.12.2013 he appears to have paid a sum of Rs.2,50,000/- to the petitioner. While so, when the defacto complainant asked the petitioner to cancel the power of attorney the petitioner was not coming forward to the same. When the defacto complainant applied for encumbrance certificate in respect of his property, it came to his knowledge that on 08.10.12012, the petitioner has sold the property to his son-in-law viz., Tamilarasan (A.3). Again on 06.12.2012, Tamilarasan (A.3) has sold the property to one Meenu.

4. It is seen that after the dismissal of the anticipatory bail application by this Court on 17.04.2014, the petitioner has further encumbered the property on 11.06.2014. Thus it reveals the fraudulent conduct of the petitioner. Under these circumstances, this Court is of the view that it is not a fit case to grant anticipatory bail.



5. Accordingly, this Criminal Original Petition is dismissed.

sd/-
21/01/2015

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

TO

1. THE INSPECTOR OF POLICE,
TALLAKULAM POLICE STATION, MADURAI.
- 2, THE ADDL PUBLIC PROSECUTOR
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1. CC to M/S.R.GANDHI, Advocate SR.No. 2862

SR : 23.01.2015 : 2P/4C

ORDER
IN
CRL OP(MD) No.9179 of 2014
Date :21/01/2015