

IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Tuesday, the Twelfth day of February Two Thousand Nineteen

PRESENT

The Hon'ble Mr Justice N. ANAND VENKATESH

CRIMINAL ORIGINAL PETITION No.2904 of 2019

K.JEYAVALAN

[PETITIONER / ACCUSED]

Vs

THE STATE REP. BY
INSPECTOR OF POLICE,
CENTRAL CRIME BRANCH,
EGMORE, CHENNAI DISTRICT
(CR.NO.477 OF 2018)

[RESPONDENT]

For Petitioner : M/S.M.SATHISH KUMAR Advocate

For Respondent : MR. S.THANKIRA, Govt. Advocate (Crl. Side)

For Intervener : M/S.TKS.BHARATHY ANANDRAJ 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 offences publishable under Sections 406, 420 r/w 34 IPC in Crime No.477 of 2018 on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that the defacto complainant is having an Apartment at T.Nagar, Chennai and he had leased it in favour of Mrs.Mullai, who is the wife of A2 in the year 1999. The defacto complainant was in need of loan for the purpose of business and one Rajasekaran (A2) and his friend Saviour approached the defacto complainant offering to get a loan of Rs.2 Crores from one K.Jeyavelan, who is the petitioner herein (A1). This petitioner had demanded an advance amount of Rs.1 lakh commission for the loan and the same was also paid to him. Thereafter, the petitioner obtained 26 signed cheques and three signed papers and also took a General Power of Attorney for the property from the defacto complainant. Without securing any loan, A1 has now executed a sale deed in favour of A2's daughter R.Prathishta (A3).

3. The learned Government Advocate (Criminal Side) submitted that this petitioner is already involved in a similar case pending investigation in Crime No.577 of 2012.

4. The learned counsel appearing for the Intervener would submit that this petitioner has lost her property and also money and the defacto complainant has now been completely left in lurch. The learned counsel further submitted that all the three accused persons are advocates who are involved in similar offences.

4. Considering the above facts and circumstances of the case, this Court is not inclined to grant anticipatory bail to the petitioner and this is a case, where the police will have to necessarily subject the accused persons to custodial interrogation and accordingly, this Criminal Original Petition stands dismissed.

-sd/-

12/02/2019

This order, on being produced, be punctually observed and carried into execution by all concerned

TRUE COPY

Sub-Assistant Registrar (Statistics/C.S.)
High Court, Madras - 600 104.

TO

1 THE INSPECTOR OF POLICE,
CENTRAL CRIME BRANCH,
EGMORE, CHENNAI.

2 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

+1 CC to M/S.M.SATHISH KUMAR Advocate on payment of necessary charges SR.NO. 3078

CRL OP.2904/2019

Date :12/02/2019

RD 14/02/2019

WEB COPY