

CRL OP.No.13153 of 2019M.DHANDAPANI.J.,

This Petition has been filed by the petitioners/accused, seeking for grant of anticipatory bail since they are apprehending arrest at the hands of the respondent police for the alleged offence punishable under Section 420 IPC in Crime No.9 of 2018 on the file of the respondent police.

2. The learned counsel for the petitioners would submit that on earlier occasions, this Court dismissed the similar bail petitions filed by the petitioners. However, subsequently, the petitioners also moved the similar bail petition before the learned Judicial Magistrate, Thiruvannamalai, since no steps were taken and as the petitioners were not in a position to repay the amount, the said petition was dismissed and hence, the petitioners moved the present bail petition for grant of anticipatory bail.

3. The learned Additional Public Prosecutor would submit that till date, the petitioners have not paid any amount and investigation is still pending and hence, he strongly oppose to grant of anticipatory bail to the petitioners.

4. This Court, vide orders, dated 25.10.2018 and 31.01.2019, already dismissed similar petitions, refusing to grant anticipatory bail to the petitioners. It appears that the petitioners obtained huge loan amount from the defacto complainant by pledging the rice bags, however, after availing the loan, later, with the connivance of the staff, without the knowledge of the bank, sold away the rice and thereby cheated the bank, due to which, the bank sustained huge loss. It is pertinent to note that right from the

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date of lodging the complaint, the petitioners have not shown any bona fide attempt to repay the loan and till date, they did not repay any amount. However, one way or the other, the petitioners keep on approaching this Court for grant of anticipatory bail. If the same is entertained, as rightly submitted by the learned Additional Public Prosecutor, the defacto complainant/bank will not be in a position to recover the amount from the petitioners. Since no bona fide attempt by the petitioners in repaying the loan amount even partly and considering the fact that the huge amount was involved and having availed the loan amount, the petitioners indulged in stealthily selling away the pledged rice with the connivance of the staff, this Court is of the view that the petitioners deserve no consideration, much less grant of anticipatory bail.

In view of the above, this Criminal Original Petition is dismissed.

DN

26.06.2019

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