

IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Wednesday, the Twelfth day of February Two Thousand Twenty

PRESENT

The Hon`ble Mr Justice M.DHANDAPANI

CRIMINAL ORIGINAL PETITION No.2561 of 2020

N.SUBASH

[PETITIONER / ACCUSED]

Vs

STATE REP. BY
THE INSPECTOR OF POLICE,
PATTABIRAM POLICE STATION,
THIRUVALLUR DISTRICT
(CR.NO.819/2019) .
[RESPONDENT]

For Petitioner : M/S. S.SOMASUNDARAM Advocate

For Respondent : MR.C.IYYAPPARAJ, ADDITIONAL PUBLIC PROSECUTOR

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

ORDER : The Court Made the following order :-

The petitioner/A2, who apprehends arrest at the hands of the respondent police for the alleged offences punishable under Sections 406, 420 of IPC, in Crime No.819 of 2019, on the file of the respondent police, seek anticipatory bail.

2.The case of the prosecution is that the defacto complainant was running a man power agency. A1 and petitioner introduced themselves as on IAS officer and Defence Secretary and Tahsildar. The petitioner and the other accused person asked the complainant to supply man power and they had collected a sum of Rs.23,50,000/- from the complainant. The petitioner and other accused persons neither secured job nor returned the money. Hence, the complaint.

3.The learned counsel appearing for the petitioner would submit that the petitioner is an innocent person and he has not committed any offence as alleged by the prosecution. He would also submit that, on earlier occasion, anticipatory bail petition filed in CrI.O.P.No.34153 of 2019 was dismissed and further he would submit that the petitioner paid the entire amount to the defacto complainant and thereafter, a false case has been foisted against the petitioner. Therefore, he prays for grant of anticipatory bail to the petitioner.

4.The learned Additional Public Prosecutor appearing for the respondent would submit that the petitioner is arraigned as A2. He would also submit that A2 received money through A1 from the defacto complainant. Thereafter, they neither secured job nor repaid the money. Hence, he opposed for anticipatory bail to the petitioner.

5.The petitioner on an earlier occasion filed Crl.O.P.No.34153 of 2019 and this Court considering the fact that the petitioner neither secured job nor repaid the money, dismissed the said petition on 13.01.2020. Again the petitioner has filed this petition. Considering the fact that the petitioner did not produce any document with regard to payments to the defacto complainant and there is no change of circumstances in this case, this court is not inclined to grant anticipatory bail to the petitioner.

6.Accordingly, this criminal original petition is dismissed.

-sd/-

12/02/2020

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,
PATTABIRAM POLICE STATION,
THIRUVALLUR DISTRICT

2 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

CC to M/S. S.SOMASUNDARAM Advocate on payment of necessary charges

CRL OP.2561/2020

Date :12/02/2020

MK:24/02/2020