

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 28.09.2020

CORAM

THE HONOURABLE MR. JUSTICE A.D.JAGADISH CHANDIRA

Cr1.O.P.No.12181 of 2020

Narendra Palande

... Petitioner

Vs.

State Represented by its ... Respondent
The Inspector of police,
Central Crime Branch-I,
Vepery, Chennai-600 007.
Crime No.419 of 2017.

Prayer: Criminal Original Petition filed under Section 438 Cr.P.C.,
to grant anticipatory bail to the petitioner in the event of his
arrest in connection with Crime No.419 of 2017 pending
investigation on the file of the respondent police herein.

For Petitioner : Mr.B.Vasanthan

For Respondent : Mr.M.Mohamed Riyaz

Additional Public Prosecutor

ORDER

(The case has been heard through video conference)

The learned counsel for the petitioner seeks permission of this
Court to withdraw this petition.

2.The case of the prosecution as per the defacto
complainant/Robertson is that the accused induced him and on the
false promise of purchasing and delivering imported cars for a
cheaper price in Mumbai and received an amount of Rs.1,48,00,000/-
and cheated the defacto complainant and they have not delivered the
car nor repaid the amount of Rs.1,48,00,000/-

3. The learned counsel appearing for the petitioner would
submit that the petitioner is only an inter-mediator and he had
received a sum of Rs.80,00,000/- from the defacto complainant and he
had transferred the same to M/s.Sohan Impex, who is dealing with the
imported cars, whereas, the said Agency has failed to deliver the

cars. He would further submit that the balance amount other than Rs.80,00,000/- received by him has been directly sent to M/s.Sohan Impex.

4. It is a case registered for the offences under Sections 420 and 506(ii) of IPC. Only on the submission made by the learned counsel for the petitioner and the undertaking given by the petitioner that the petitioner will be paying a sum of Rs.50,00,000/- by way of RTGS to the defacto complainant, this Court had initially granted interim anticipatory bail on 24.08.2020 to the petitioner till 21.09.2020. **Thereafter, when the matter was listed on 21.09.2020, the learned counsel for the petitioner requested time stating that he was making arrangements to raise the funds.** This Court had also extended time by one week and the interim anticipatory bail was also **extended.** Now, the learned counsel for the petitioner seeks permission of this Court to withdraw this petition.

5. The learned counsel for the intervenor submitted that the address given by the petitioner in the present petition is wrong and he is not residing in the above address.

6. Heard the counsels.

7. It is a case where the accused have on the false promise of purchasing imported cars for a cheaper price, received an amount of Rs.1,48,00,000/- from the defacto complainant and cheated the defacto complainant. Earlier, this Court only on the submission made by the petitioner's counsel that the petitioner is ready to pay a sum of Rs.50,00,000/- by RTGS to the defacto complainant, this Court has granted interim anticipatory bail to the petitioner from 24.08.2020 to 28.09.2020. After one month, now the petitioner seeks permission of this Court to withdraw this petition.

8.This Court is of the opinion that the petitioner has willfully mislead the Court and after getting interim relief for a period, has purposely withdrawn the undertaking. Further, it is a case of cheating to the tune of Rs.1,48,00,000/-.

9. Accordingly, this Criminal Original Petition is dismissed with the cost of Rs.5,000/- payable to the Chief Justice Relief Fund, High Court, Madras within a period of two weeks from the date of receipt of the copy of the order.

-sd/-
28/09/2020

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,
CENTRAL CRIME BRANCH-I,
VEPERY, CHENNAI-7.

2 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

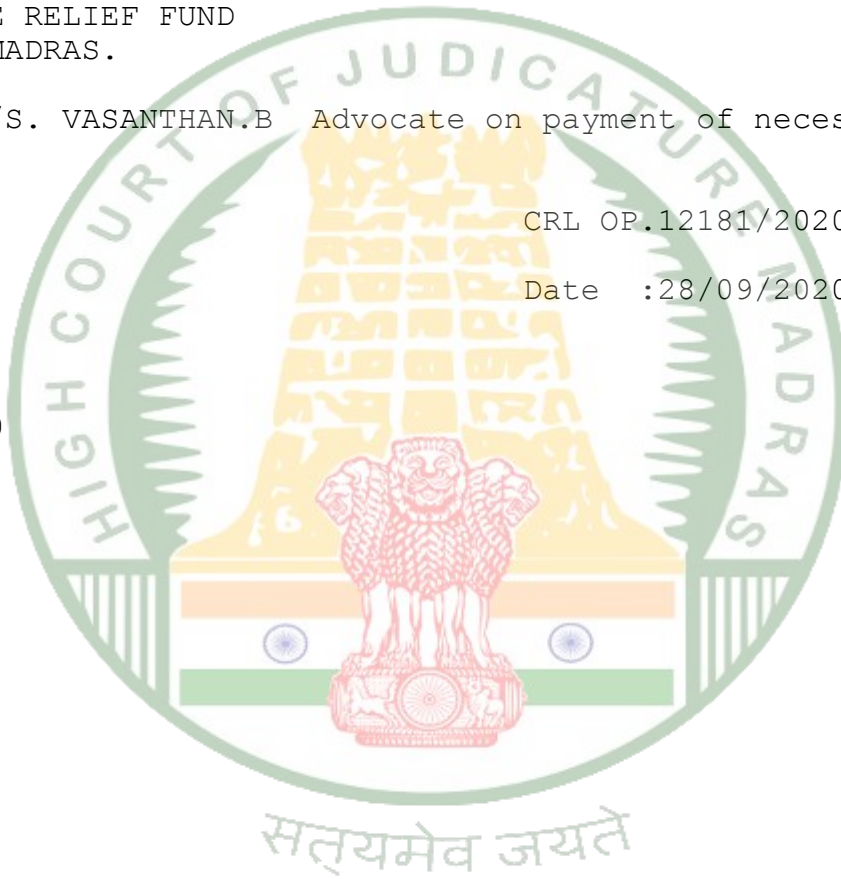
3 THE SECTION OFFICER
ACCOUNT SECTION
CHIEF JUSTICE RELIEF FUND
HIGH COURT, MADRAS.

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

CRL OP.12181/2020

Date :28/09/2020

TA-09/10/2020



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