

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 07.09.2020

CORAM

THE HONOURABLE MR. JUSTICE A. D. JAGADISH CHANDIRA

Crl.O.P.No.13480 of 2020

1.V.G.Dhanasekar
2.Sekar

... Petitioners

Vs.

State Represented by,
The Inspector of Police,
Ranipet Police Station,
Vellore District.
Crime No.380 of 2012.

...Respondent

Prayer: Criminal Original Petition filed under Section 438 of Cr.P.C., to enlarge the petitioners on bail in the event of their arrest in Connection with the Crime No.380 of 2020 pending on the file of the respondent police.

For Petitioners : Mr.R.Sasikumar

For Respondent : Mr. M.Mohamed Riyaz,
Additional Public Prosecutor

ORDER

(This case has been heard through video conference)

The petitioners, who apprehend arrest at the hands of the respondent police for the alleged offences punishable under Sections 406, 420, 506(i) of IPC in Crime No.380 of 2012, on the file of the respondent police, seek anticipatory bail.

2. The case of the prosecution as per the defacto complainant Thiagarajan is that the petitioner along with two other accused purchased 15.58 acres situated in Vanganur Village, Pallipattu Taluk, Thiruvallur District and the defacto complainant had also given power document to the 1st petitioner on 04.12.2008. After receiving the power of Attorney, the 1st petitioner promoted the land and sold 13 house plots to some other persons. After the sale, the 1st petitioner refused to hand over a sum of Rs.7,00,000/- to the defacto complainant. Hence, the defacto complainant cancelled the Power of Attorney and sent notice to the 1st petitioner. After receiving the notice and cancellation of power, the 1st petitioner had sold 20 plots under the said Power of Attorney.

3. The learned counsel for the petitioner would submit that the petitioners are innocent and they have been falsely implicated in this case and submitted that the case is of Civil in nature and given Criminal colour. He would submit that the petitioners have granted

anticipatory bail by this Court and subsequently, it has been cancelled by this Court on 13.03.2020 and thereafter, the respondent has not arrested the petitioners.

4. The learned Additional Public Prosecutor would vehemently contended that, the petitioners were originally granted anticipatory bail in CrI.O.P.No.10905 of 2013, dated 26.04.2013, and thereafter, they did not comply the conditions imposed by this Court and hence, this Court cancelled the bail granted to the petitioners in CrI.O.P.No.28093 of 2019, by an order dated 13.03.2020.

5. In view of the above the remedy available to the petitioners is to challenge the cancellation of bail order passed by this Court in CrI.O.P.No.28093 of 2019 dated 13.03.2020 and the petitioners' anticipatory bail before this Court, is not maintainable.

6. Accordingly, this Criminal Original Petition is dismissed.

-sd/-

07/09/2020

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 JUDICIAL MAGISTRATE,
RANIPET

2 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

3 THE INSPECTOR OF POLICE,
RANIPET POLICE STATION,
VELLORE DISTRICT.

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

CRL OP.13480/2020

Date :07/09/2020

RVR 24/09/2020