

IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Monday, the Twenty Ninth day of March Two Thousand Twenty One

PRESENT

The Hon`ble Mr Justice A.D.JAGADISH CHANDIRA

CRIMINAL ORIGINAL PETITION No.4873 of 2021

ANBU RANI

[PETITIONER / ACCUSED]

Vs

STATE REP. BY [RESPONDENT]
INSPECTOR OF POLICE,
DISTRICT CRIME BRANCH P.S., (D.C.B.),
VELLORE,
CR.NO.16/2020.

For Petitioner : M/S.K.VENKATESAN Advocate

For Respondent : MR.T.SHANMUGA RAJESWARAN,
Government Advocate (crl.side)

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 alleged offence punishable under Sections 420, 506(i), 120B IPC, in Crime No.16 of 2020, on the file of the respondent police, seeks anticipatory bail.

2.The case of the prosecution as per the defacto complainant viz. Srinivasan is that the petitioner along with the other accused joined together and ensured him that they will be able to get medical seat for his son in CMC Hospital, Vellore and obtained an amount of Rs.57 Lakhs and thereafter cheated the defacto complainant.

3.Learned counsel for the petitioner would submit that the petitioner is innocent and she has been falsely implicated in this case. He would further submit that this is the 2nd anticipatory bail petition and the change of circumstances is that the arrested accused have been enlarged on bail.

4.Learned Government Advocate (Crl. Side) would vehemently oppose stating that the petitioner along with the other accused on the false promise and assurance of getting a medical seat in CMC Hospital, Vellore had taken an amount of Rs.57 Lakhs and cheated

the defacto complainant. He would further submit that A1 to A3 in this case have been arrested and enlarged on bail and no recovery has been made from them. He would further submit that as far as the petitioner is concerned, she is a habitual offender and there is also one more case registered against the petitioner in Crime No.92 of 2018 by the Virudhampattu Police Station, Vellore District and the case has been charge sheeted and pending trial in C.C.No.512 of 2018 on the file of the learned Judicial Magistrate No.3, Vellore. He would reiterate that the petitioner is a habitual offender and that the cheated amount has not been recovered so far from the accused.

5.Taking into consideration the facts and submissions that the petitioner has got one previous case of similar nature and that the amounts are yet to be recovered from the accused, this Court is not inclined to grant anticipatory bail to the petitioner.

6.This Criminal Original Petition stands dismissed accordingly.

-sd/-

29/03/2021

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,
NO.3, VELLORE.

2 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

3 THE INSPECTOR OF POLICE,
DISTRICT CRIME BRANCH P.S., (D.C.B.),
VELLORE.

4 THE OFFICER INCHARGE
VIRUDHAMPATTU POLICE STATION,
VELLORE DISTRICT.

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

CRL OP.4873/2021

Date :29/03/2021

cs 07/04/2021