

IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Wednesday, the Sixteenth day of June Two Thousand Twenty One

PRESENT

The Hon`ble Mr Justice M.DHANDAPANI

CRIMINAL ORIGINAL PETITION No.4400 of 2021

V.M.ABDUL GHANI

[PETITIONER / ACCUSED]

Vs

STATE REP. BY

[RESPONDENT]

THE SUB-INSPECTOR OF POLICE,
DISTRICT CRIME BRANCH,
TIRUPATHUR DISTRICT-635 601.
CRIME NO.62/2021

For Petitioner : M/S. A.RAJAMOHAMED Advocate

For Respondent : M/S. C.E.PRATAP, Govt. Advocate (Crl. Side)

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

ORDER : The Court Made the following order :-

The petitioner who was arrested for the offence under Sections 406, 419 and 420 I.P.C. in Cr.No.62 of 2021 on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that the petitioner and the defacto complainant is the resident of Girisamutthiram, Vaniyambadi, Tirupathur District. The defacto complainant was working as helper in M/s.Nasar Poly Clove Private Limited for 23 years. The accused person, who working as Supervisor in the same Company had straight away approached the defacto complainant and get Bank Pass Book, Adhar Card Xerox, two passport size photo from him, as if the same was asked in the office. Thereafter the defacto complainant had received post from the Income Tax Department and when it was shown to the petitioner, it was kept by him and later, the defacto complainant had also received demand notice from the Income Tax Department stating that he was liable to pay GST due to the tune of Rs.71,39,700/- and again he received similar kind of demand notice from the department. Thereafter only he came to know that he was cheated by the petitioner and hence he lodged a complaint before the respondent Police.

3. The learned counsel appearing for the petitioner would submit the petitioner has not committed any offence as alleged by the prosecution and he has been falsely implicated in this case. He is also one of the employee in the said company and he did not aware of any of the facts as alleged by the prosecution.

4. Considering the fact that the amount involved is huge in nature and both the petitioner and the defacto complainant are trying to evade from the GST / tax duty payable to the Income Tax Department, this Court is not inclined to grant anticipatory bail to the petitioner.

5. Accordingly, this Criminal Original Petition is dismissed.

-sd/-
16/06/2021

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 SUB-INSPCETOR OF POLICE,
DISTRICT CRIME BRANCH,
TIRUPATHUR DISTRICT-635 601.

2 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

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

WEB COPY

CRL OP.4400/2021

Date :16/06/2021

cs 30/06/2021