

IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Friday, the Sixteenth day of April Two Thousand Twenty One

PRESENT

The Hon`ble Mr Justice M.DHANDAPANI

CRIMINAL ORIGINAL PETITION No.4664 of 2020

1 SELVALINGAM
2 KALAIMANI
3 PARASURAMAN
4 KAVITHA
5 SENTHAMARIKANNAN
6 SASIKUMAR
7 AMARNATH

[PETITIONERS / ACCUSED]

Vs

STATE REP. BY
THE INSPECTOR OF POLICE
KADAMPULIYUR POLICE STATION,
CUDDALORE DISTRICT.
CRIME NO.26/2020

[RESPONDENT]

For Petitioner : M/S.T.SAIKRISHNAN Advocate

For Respondent : M/S.S.KARTHIKEYAN, Additional Public Prosecutor

For Intervener : M/S. M.P.PALANIVEL Advocate [IN CRL.MP.1403/2021]

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

ORDER : The Court Made the following order :-

The petitioners who apprehend arrest at the hands of the respondent police for the offence punishable under Sections 380 and 420 of IPC in Crime No.26 of 2020 on the file of the respondent police, seek anticipatory bail.

2. The case of the prosecution is that the defacto complainant is working as a Manager and the first and second accused have approached the defacto complainant for getting goods loan by pledging 560 bags of raw cashew nuts. Accordingly, the bank sanctioned goods loan of Rs.49 lakhs each to the petitioners 1 & 2. The petitioners 3 and 5 are guarantors of the loan. The goods were stored in the godown of the 6th petitioner and the godown key was kept with Bank. Thereafter, the petitioners 1 and 2 were broke open the godown lock with the help of the petitioners 6 and 7 and they are not repaying the loan also.

Based on the complaint lodged by the defacto complainant, the respondent police has registered a case.

3. The learned counsel appearing for the petitioner would submit that the petitioners are innocent persons and they have been falsely implicated in this case and prayed for grant of anticipatory bail.

4. The learned Additional Public Prosecutor submitted that apart from this case, the petitioners have a previous case similar in nature.

5. Taking into consideration the allegations and also the bad antecedent of the petitioners, this Court is not inclined to grant anticipatory bail to the petitioners.

6. Accordingly, this Criminal Original Petition is dismissed.

-sd/-
16/04/2021

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 INSPECTOR OF POLICE
KADAMPULIYUR POLICE STATION,
CUDDALORE DISTRICT.

2 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

+1 CC to M/S.T.SAIKRISHNAN Advocate on payment of necessary charges SR.No.4867

CRL OP.4664/2020

Date :16/04/2021

cs 27/04/2021