

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 21.01.2021

CORAM :

THE HON'BLE MR. JUSTICE V. BHARATHIDASAN

Crl.O.P.No.5206 of 2020

Kirupakaran

... Petitioner

/vs/

State represented by
The Sub Inspector of Police,
T-4 Police Station,
Maduravoyal,
Chennai. (Crime No.45 of 2015)

... Respondent

PRAYER: Criminal Original Petition is filed under Section 438 of Criminal Procedure Code to enlarge the petitioner on in the event of his arrest or on his appearance in Crime No.45 of 2015, on the file of the respondent police.

For Petitioner : Mr.P. Tamilavel

For Respondent : Mr.S.Karthikeyan
Addl. Public Prosecutor

O R D E R

(The case has been heard through video conference)

The petitioner, who apprehends arrest at the hands of the respondent police for the alleged offences punishable under Sections 420 and 406 of IPC, in Crime No.45 of 2015, on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution as per the defacto complainant is that he has handed over his property documents for the purpose of obtaining loan to the petitioner, but, the petitioner has mortgaged the same with Gokulam chits and obtained a sum of Rs.2.5 crores. Hence, the complaint.

3. The learned counsel appearing for the petitioner would submit that the petitioner is innocent and he has not committed any offence as alleged by the prosecution. Hence, he seeks for grant of bail to the petitioner.

4. The learned Additional Public Prosecutor submitted that the defacto complainant has handed over his property documents to the petitioner for the purpose of obtaining loan, but, the petitioner has misused and mortgaged the same with the private financier and obtained a sum of Rs.2.5 crores. Hence, he prays for dismissal of this petition.

5. Considering the fact that the petitioner has involved in grave offence and also considering the fact that the amount involved in this case is huge, this Court is not inclined to grant anticipatory bail to the petitioner. Accordingly, this Criminal Original Petition stands dismissed.

-sd/-
21/01/2021

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 -II,
POONAMALLEE.

2.THE CHIEF JUDICIAL MAGISTRATE,
TIRUVALLUR. [FOR INFORMATION].

3.THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

4.THE SUB INSPECTOR OF POLICE,
T-4 POLICE STATION,
MADURAVOYAL CHENNAI.

CC to M/S. P.TAMILAVEL Advocate on payment of necessary charges

CRL OP.5206/2020

Date :21/01/2021

ksm05/02/2021