



IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Wednesday, the Twenty Seventh day of October Two Thousand Twenty One

PRESENT

The Hon`ble Mr Justice M.DHANDAPANI

CRIMINAL ORIGINAL PETITION No.6282 of 2020

AND CRL.M.P.No.7512 of 2020

P.LOUIE BASS

[PETITIONER / ACCUSED]

Vs

THE INSPECTOR OF POLICE
PERUNDURAI POLICE STATION,
ERODE DISTRICT.
CRIME NO.120 OF 2020

[RESPONDENT]

ANNE CHRISHTOPER, [PETITIONER / DEFACTO COMPLAINANT] [ORDERED AS
PER ORDER OF THIS COURT DATED 27/10/2021 IN CRL.MP.7512 /2020 IN
CRL.O.P.NO.6282/2020]

For Petitioner : M/S.MALINI GEORGE, Advocate

For Respondent : MR.C.E.PRATAP, Govt. Advocate (Crl. Side)

For Intervenor : M/S.S.GUNALAN, Advocate

PETITION FOR ANTICIPATORY BAIL 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 under Sections 467, 468, 471, 420 of IPC in Crime No.120 of 2020, on the file of the respondent police, seeks anticipatory bail.



2. The case of the prosecution is that the petitioner is arrayed as second accused. Further, the first accused and the second accused are practising advocates. Third accused is a summon server and the fourth accused is a stamp vendor. Further, the first accused is the husband of the defacto complainant. The defacto complainant owns several properties. Further, the first accused had approached the second accused for arbitration. The petitioner/second accused had passed a fake arbitration order in favour of the first accused. Hence, the complaint.

3. The learned counsel appearing for the petitioner submitted that the petitioner has not committed any offence as alleged by the prosecution and he has been falsely implicated in this case. He further submitted that the first accused had filed anticipatory bail petition before this Court in Crl.O.P.No.6269 of 2020 and same was posted before the Division Bench of this Court.

4. The learned Government Advocate (Crl. Side) submitted that the petitioner along with other accused persons had colluded and created a fake arbitration award and passed an award in favour of the first accused. He further submitted that the investigation is still pending. Hence, he vehemently opposed for grant of anticipatory bail to the petitioner.

5. The learned counsel for the intervenor/defacto complainant submitted that the petitioner along with other accused persons had created a fake arbitration award and passed an award in favour of the first accused. He further submitted that the petitioner is an anti-social element and two criminal cases are pending before the Sulur police station. Hence, he strongly opposed for grant of anticipatory bail to the petitioner.

6. Considering the facts and circumstances of the case and also the fact that the petitioner is a practising advocate and the first accused approached the petitioner for arbitration proceeding, the petitioner created a fake arbitration proceeding without authority and passed an award in favour of the first accused which is not genuine one, this Court is not inclined to grant anticipatory bail to the petitioner.

7. This Court directs the Bar Council of TamiNadu and Puduchery to take appropriate disciplinary proceedings against the petitioner.



8. Accordingly, this Criminal Original Petition is dismissed.

WEB COPY

-sd/-
27/10/2021

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
PERUNDURAI POLICE STATION,
ERODE DISTRICT.

2 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

3 THE SECRETARY
BAR COUNCIL OF TAMILNADU, PUDUCHERRY,
HIGH COURT, MADRAS

+1 CC to M/S.B.GOPALAKRISHNAN, Advocate on payment of necessary charges SR.NO.11944

CRL OP.6282/2020

AND CRL MP No.7512/2020

Date :27/10/2021

JPA 16/11/2021