

IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Saturday, the Seventeenth day of April Two Thousand Twenty One

PRESENT

The Hon`ble Mr Justice M.DHANDAPANI

CRIMINAL ORIGINAL PETITION No.7181 of 2021

BAIRAJA @ BAIRA

[PETITIONERS / ACCUSED]

Vs

STATE REP BY [RESPONDENT]
INSPECTOR OF POLICE,
GUDIYATHAM TOWN POLICE STATION,
VELLORE DISTRICT.
CRIME NO.27 OF 2017.

For Petitioner : M/S.C.MOHANRAJ Advocate

For Respondent : M/S.M.PRABHAVATHI, ADDITIONAL PUBLIC PROSECUTOR

PETITION FOR BAIL 439 Cr.P.C.

ORDER : The Court Made the following order :-

The petitioner who was arrested on 02.02.2021 and remanded to judicial custody for the offences under Sections 397 altered to 395 of I.P.C in Cr.No.27 of 2017 on the file of the respondent police, seeks bail.

2.The case of the prosecution is that the petitioner along with other accused persons are workers under the defacto complainant, who had given cash and instructed the petitioner to purchase gold jewels and hand over the same to the defacto complainant. But, the petitioner did not hand over the jewels and thereby cheated the defacto complainant. Hence, the complaint.

3.The learned counsel appearing for the petitioner would submit that the petitioner has not committed any offence as alleged by the prosecution and he has been falsely implicated in this case. Hence, he prays for grant of anticipatory bail to the petitioner.

4.The learned additional public prosecutor would submit that the petitioners cheated the defacto complainant by not returning the gold jewels and there are eight previous cases pending as against the petitioner. Hence, he opposed for grant of bail to the petitioner

5.Considering the fact that there are eight previous cases pending against the petitioner, which reveals that the petitioner is a habitual offender in such circumstances, this Court is not inclined to grant anticipatory bail to the petitioner.

6.Accordingly, this Criminal Original Petition is dismissed.

-sd/-
17/04/2021

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,
GUDIYATHAM TOWN POLICE STATION,
VELLORE DISTRICT.

2 THE SUPERINTENDENT,
CENTRAL PRISON,
PARAPPANA AGRAHARA,
BANGALORE, KARNATAKA.

3 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

CC to M/S.C.MOHANRAJ Advocate on payment of necessary charges

CRL OP.7181/2021

Date :17/04/2021

MK:28/06/2021

WEB COPY