

IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Thursday, the Twenty Second day of April Two Thousand Twenty One

PRESENT

The Hon`ble Mrs Justice V.BHAVANI SUBBAROYAN

CRIMINAL ORIGINAL PETITION No.7531 of 2021

PALANIMALAI

[PETITIONER / ACCUSED]

Vs

STATE REP.BY

[RESPONDENT]

THE INSPECTOR OF POLICE,

DISTRICT CRIME BRANCH,

ARIYALUR.

CR.NO.10 OF 2020.

For Petitioner : M/S. M.VIJAYA RAGAVAN Advocate

For Respondent :MR. T.SHUNMUGARAJESWARAN, Govt. Advocate (Crl. Side)

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

ORDER : The Court Made the following order :-

The petitioner, who apprehends arrest for the alleged offence under Sections 409 and 506(i) of IPC in Crime No.10 of 2020 on the file of the respondent police, seeks anticipatory bail.

2. Heard both sides.

3. The case of the prosecution is that the defacto complainant is a wholesale dealer for cashew nuts and the petitioner said to have purchased cashew nuts worth about Rs.20,73,630/- and paid only Rs.2,00,000/- as advance and the balance amount was not paid. It is further alleged that the petitioner had purchased cashew nuts from some other persons also and cheated them. Hence the complaint.

4. The learned counsel appearing for the petitioner would submit that the petitioner did not commit any offence as alleged by the prosecution and seeks for grant of anticipatory bail to the petitioner.

5. The learned Government Advocate, would submit that earlier this petitioner had filed a petition before this Court in CrI.O.P.No.20324 of 2021 and the same was granted on a condition that the petitioner should deposit Rs.2,00,000/- to the credit of crime number. He further submitted suppressing the above said fact, the petitioner had again filed the present petition seeking anticipatory bail. Hence, he vehemently opposed to grant anticipatory bail to the petitioner.

6. The attitude of the petitioner by suppressing the fact that he had already been granted anticipatory bail and also trying to cheat this Court is highly condemnable and this Court is not inclined to grant anticipatory bail to the petitioner. The learned counsel for the petitioner submitted that he is not aware of the earlier petition filed.

7. Accordingly, this Criminal Original Petition is dismissed and the petitioner shall deposit a sum of Rs.5,000/- (Rupees Five Thousand only) towards cost, by way of Demand Draft drawn in favour of the Adyar Cancer Institute and Research Centre, Adyar, Chennai, on or before 10.05.2021, and the receipt of the same shall be produced before the concerned Magistrate at the time of executing surety. The petitioner is directed to strictly adhere to the conditions as imposed by this Court on 17.03.2021 in CrI.O.P.No.20324 of 2021.

-sd/-

22/04/2021

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,
DISTRICT CRIME BRANCH,
ARIYALUR.

2 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

3 THE ADYAR CANCER
INSTITUTE AND RESEARCH CENTRE,
ADYAR, CHENNAI

CC to M/S. M.VIJAYA RAGAVAN Advocate on payment of necessary
charges Sr.5214

CRL OP.7531/2021

Date :22/04/2021

RVR 28/04/2021