



IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Monday, the Twenty Eighth day of June Two Thousand Twenty One

WEB COPY

PRESENT

The Hon`ble Mr Justice M.DHANDAPANI

CRIMINAL ORIGINAL PETITION No.8542 of 2021

R.ARVIDRAJ

[PETITIONER / ACCUSED]

Vs

STATE REP.BY
THE INSPECTOR OF POLICE (CRIME),
V-3, J.J.NAGAR POLICE STATION,
CHENNAI.
CRIME NO.111 OF 2021.

[RESPONDENT]

For Petitioner : M/S.K.KANNAN Advocate

For Respondent : M/S.C.E.PRATAP, 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 offences punishable under Sections 408 and 420 of I.P.C in Crime No.111 of 2021, on the file of the respondent police, seeks anticipatory bail.

2.The case of the prosecution is that one Vennila, wife of Senthil Kumar has filed a complaint with an allegation that the petitioner along with his friend Mr.Gopinatha Rao had received a sum of Rs,11,30,000/- by promising her to get admission in M.D. Medical Seat for her daughter in the month of August 2020 and without getting admission to her daughter, the petitioner and his friend have misappropriated and cheated her to the tune of Rs.11,30,000/-. Hence, the complaint.

3.The learned counsel appearing for the petitioner submits that the petitioner has not committed any offence as alleged by the prosecution and he has been falsely implicated in this case. The petitioner's friend J.Chandrasekar, was running a Medical Consultancy at Pondicherry and the said Chandrasekar contacted the petitioner and informed that he would be in a position to get Medical Seat in MD in Ramachandra University at Porur, Chennai and requested the petitioner to canvass with the people who aspire to get medical seat in PG. Thereafter, the petitioner has introduced the defacto complainant to Chandrasekar and the defacto complainant transferred a sum of Rs.10,50,000/- through the petitioner's account and the petitioner transferred the same to the account of the said Chandrasekar and this happened in the month of August. He further submits that the



petitioner came to know through the respondent police, when he was taken to the police station that the defacto complainant was practically cheated by the said Chandrasekar. Since the alleged money was transacted through the petitioner, the respondent police insisted him to settle the matter amicably. Initially on 09.04.2021, the petitioner has also repaid a sum of Rs.4,50,000/- to the defacto complainant through the respondent police by way of cash and the petitioner again repaid the amount of Rs.7,00,000/- (Rs.5,50,000/- and Rs.1,50,000/-) by way of cheque. He further submits that the respondent police instead of apprehending the real culprit, viz., the said Chandrasekar, FIR was registered against the petitioner. Hence, he prays for grant of anticipatory bail to the petitioner.

4.The learned Government Advocate (Crl.Side) submits that the petitioner has cheated the defacto complainant to tune of Rs.11,30,000/-. Hence, he vehemently opposed for grant of anticipatory bail to the petitioner.

5. Though the petitioner claims that he has repaid the amount to the defacto complainant, however, there is no proof for the said transaction. Considering the nature of offence committed by the petitioner and the amount involved being very high, this Court is not inclined to grant anticipatory bail to the petitioner. Accordingly, this Criminal Original Petition is dismissed.

-sd/-
28/06/2021

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 (CRIME),
V-3, J.J.NAGAR POLICE STATION,
CHENNAI.

2 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

CC to M/S.K.KANNAN Advocate on payment of necessary charges

CRL OP.8542/2021

Date :28/06/2021

JPA 20/07/2021