



IN THE HIGH COURT OF JUDICATURE AT MADRAS
(Criminal Jurisdiction)

Tuesday, the Sixth day of July Two Thousand Twenty One

WEB COPY

PRESENT

The Hon`ble Mr Justice M.DHANDAPANI

CRIMINAL ORIGINAL PETITION No.11545 of 2021

C.UMAPATHY

[PETITIONER / ACCUSED]

Vs

STATE BY

[RESPONDENT]

THE INSPECTOR OF POLICE,
CENTRAL CRIME BRANCH-TEAM-I,
VEPERY, CHENNAI - 600 007.

For Petitioner : M/S.P.JESUS MORIS RAVI Advocate

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

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

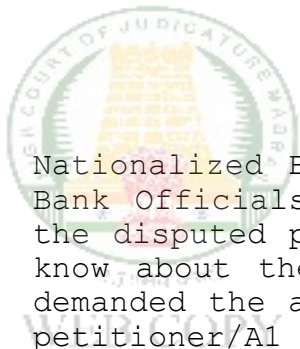
ORDER : The Court Made the following order :-

The petitioner who apprehends arrest at the hands of the respondent police for the alleged offence under Section 420 r/w 34 and 109 of IPC in Cr.No.208 of 2020 on the file of the respondent police, seeks anticipatory bail.

2.The case of the prosecution is that the petitioner/A1 in the case executed lease deed in favour of nine individuals and collected money. Later, they came to know that the petitioner/A1 is not the original owner of the property and hence, they demanded for repayment of the amount collected from them, however, the petitioner/A1 did not repay the amount. Hence, the complaint was registered.

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 counsel appearing for the intervenors submitted that the petitioner/A1 in the case executed lease deed in favour of the intervenors. The learned counsel further submitted that the original owner of the disputed property mortgaged the property in a



Nationalized Bank and failed to repay the loan amount. Hence, the Bank Officials initiated proceedings under SARFAESI Act and brought the disputed property under auction, thereby the intervenors came to know about the original owner of the property and thereafter, they demanded the amount given by them to the petitioner/A1, however, the petitioner/A1 failed to repay the amount. Hence, this is a clear case of cheating.

5.The learned Government Advocate (Criminal Side) submitted that investigation is at the initial stage and further submitted that till date the petitioner/A1 did not appear for investigation. He further submit that the co-accused anticipatory bail application was dismissed by this Court in Crl.O.P.No.4057 of 2021 dated 17.06.2021

6.Without any authority the petitioner/A1 has executed lease deed in favour of the intervenors, which is a heinous offence. Hence, considering the nature of the offence committed by the accused and the fact that investigation is at the initial stage and the fact that till date the petitioner/A1 has not appeared for investigation, this Court is not inclined to grant anticipatory bail to the petitioner.

7.Accordingly, this Criminal Original Petition is dismissed.

-sd/-
06/07/2021

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,
CENTRAL CRIME BRANCH-TEAM-I,
VEPERY, CHENNAI - 600 007.

2 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.



CC to M/S.P.JESUS MORIS RAVI Advocate on payment of necessary charges.

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CRL OP.11545/2021

Date :06/07/2021

INBA 15/07/2021