



IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Monday, the Twenty Sixth day of July Two Thousand Twenty One

PRESENT

The Hon`ble Mr Justice A.D.JAGADISH CHANDIRA

CRIMINAL ORIGINAL PETITION No.12831 of 2021

1 MANIBHARATHI

[PETITIONERS / ACCUSED]

2 KARUPPASAMY

Vs

THE STATE REP BY

[RESPONDENT]

THE INSPECTOR OF POLICE,

R-6, KUMARAN NAGAR POLICE STATION,

CHENNAI

CR NO. 1230 OF 2020

For Petitioner : M/S.J.WILLIAM SHAKESPHERE Advocate

For Respondent : MR. V.J.PRIYADHARSANA, Govt. Advocate (Crl. Side)

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

ORDER : The Court Made the following order :-

It is the case of the prosecution as per the defacto complainant is that the petitioners along with one Surya Prabhu / Accused in Crl.O.P.No.13090 of 2020 had induced the defacto complainant to attach his car to the travel agency namely Saranya Travel, Jaffer Khanpet, run by the said Surya Prabhu, so that he can earn some rents for the cars attached. Believing the words of the petitioners, the defacto complainant and 12 others had attached their cars to the Travel agency and the defacto complainant received rents only for the five months and later the rent was not paid and his cars were found missing. Hence the complaint.

2. The learned counsel for the petitioners would submit that the earlier application for Anticipatory bail in Crl.O.P.No.3770 of 2021 was dismissed on 05.03.2021. He would further submit that the petitioners are only mechanics who have indulged in buying, selling and arranging finance for the cars and other than that, they have nothing to do with the alleged offence. He would submit that the main accused one Surya Prabhu approached the petitioners for arrangement of loans for the cars and that the petitioners believing



the documents and RC book given by the main accused, had arranged for the loans and that the petitioners were not aware of the criminal intention of the said Surya Prabhu. He would further submit that the said Surya Prabhu has been arrested and enlarged on bail.

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3. The learned Government Advocate would vehemently oppose stating that the petitioners were having knowledge that the cars did not belong to the said Surya Prabhu and with an intention to cheat the defacto complainant and the car owners under the guise of attaching their cars on contract basis the petitioners along with the said Surya Prabhu had entered into a fake agreement and taken their cars and thereafter they have neither paid the victims any rents for the cars nor returned their cars, thereby cheated the innocent car owners. He would further submit that the whereabouts of the cars are not known and six cars are yet to be recovered. Hence, the custodial interrogation of the petitioner is very much required to secure the cars. This is a third bail application. The earlier application for bail filed in Crl.OP.No.13097 of 2020 was dismissed by this Court on 03.09.2020 and subsequent application in Crl.OP.No.13097 of 2020 was also dismissed on 05.03.2021. Subsequent to the dismissal of the earlier applications, there is no change of circumstances and other accused is enlarged on statutory bail.

4. In view of the above, this Criminal Original Petition stands dismissed.

-sd/-

26/07/2021

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,
R-6, KUMARAN NAGAR POLICE STATION, CHENNAI

2 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

+1 CC to M/S.J.WILLIAM SHAKESPEARE Advocate on payment of
necessary charges SR.NO.7740

CRL OP.12831/2021

Date :26/07/2021

APN 28/07/2021