



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

Monday, the Sixteenth day of August Two Thousand Twenty One

PRESENT

The Hon`ble Mr Justice M.DHANDAPANI

CRIMINAL ORIGINAL PETITION No.14400 of 2021

K.V.N.RAJAN

[PETITIONER / ACCUSED]

Vs

THE STATE REP BY
THE INSPECTOR OF POLICE,
CCB-1,
CHENNAI.
(CR NO. 90/2021)

[RESPONDENT]

For Petitioner : M/S.B.HARIKRISHNAN Advocate

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

For Intervenor : M/S.C.D.JOHNSON Advocate

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 offences under Section 406 and 420 IPC r/w.34 IPC in Cr.No.90 of 2021, seeks anticipatory bail.

2. The case of the prosecution is that the petitioner is a Deputy General Manager of M/s.ITI Ltd. He requested the defacto complainant to place orders for supply of nitrile gloves with A2, who is an empanelled vendor of ITI. Subsequently after mutual negotiation between the defacto complainant and A2, A2 agreed to supply the material to the defacto complainant on receipt of payment and thereafter, the defacto complainant sought petitioner's advice for remittance of the amount to A2 and at the instance of the petitioner, the defacto complainant made payment of Rs.2.20 crores to the account of A2. However, A2 adjusted the remittance of Rs.2.20 crores made by the defacto complainant towards the outstanding bills due and payable by ITI to the tune of Rs.2 crores and declined to supply the materials as per the purchase order placed by the defacto complainant. A2 has returned the excess amount of Rs20 lakhs to the defacto complainant. Aggrieved by the same, the defacto complainant has lodged a complaint before the law enforcing agency.



3. The learned counsel for the petitioner submitted that the petitioner never committed any offence as alleged by the prosecution and he is innocent of the said commission of offence and he has been falsely implicated in these cases. Further it is the submission of the learned counsel for the petitioner that the petitioner has merely sent an email advising the defacto complainant to make the remittance to the account of A2 and others and he had no role to play in the commission of offence and no money has been received from the defacto complainant and hence prays for grant of anticipatory bail.

4. The learned Government Advocate (Crl.Side) submitted that the petitioner is involved in two murder cases in the above said crime numbers and the investigation is in preliminary stage and since the money involved in the present case is very huge in nature, he strongly opposed to grant bail to the petitioner.

5. Considering the facts and circumstances of the case and since the petitioner along with other accused persons is said to have involved in cheating the defacto complainant for an huge sum of money, granting bail at this stage will affect the process of investigation, while it is pending. Therefore, this Court is not inclined to grant anticipatory bail to the petitioner. Accordingly, this Criminal Original Petition is dismissed.

-sd/-

16/08/2021

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,
CCB-1,
CHENNAI.

2 THE PUBLIC PROSECUTOR,
HIGH COURT, MADRAS.

CC to M/S.B.HARIKRISHNAN Advocate on payment of necessary charges

CRL OP.14400/2021

Date :16/08/2021

INBA 24/09/2021