



IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Tuesday, the Seventh day of September Two Thousand Twenty One

PRESENT

The Hon`ble Mr Justice M.DHANDAPANI

CRIMINAL ORIGINAL PETITION No.16153 of 2021

NAWAZ.K

[PETITIONER / ACCUSED]

Vs

THE STATE REP BY
THE INSPECTOR OF POLICE,
D-3, ICE HOUSE POLICE STATION,
CHENNAI.
(CR NO.370/2021)

[RESPONDENT]

For Petitioner : M/S.M.HUSSAINI BASHA Advocate

For Respondent : MR.A.GOPINATH, Govt. Advocate (CrI. Side)

For Intervenor : M/S. M.MOHAMMED YASIN Advocate

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

ORDER : The Court Made the following order :-

The petitioners, who apprehend arrest at the hands of the respondent police for the alleged offence under Sections 406 & 420 of I.P.C. in Cr.No.370 of 2021, seeks anticipatory bail.

2.The case of the prosecution is that the De-facto Complainant who is running a Hotel, E-Commerce Business and also being a Sub-Broker of ICICI Direct Bank, gave a sum of Rs.87,50,000/- to the A1 and other Co-Accused for RTGS money Transaction. The said amount was not returned by the accused persons to the De-facto Complainant and they were absconded. Hence the case was lodged by the defacto-complainant against the petitioners.

3.The learned counsel appearing for the petitioner submitted that the petitioner has not committed any offence as alleged by the prosecution and he has been falsely implicated in this case. He further submitted that the FIR itself is fake which says that A1 has cheated huge amount. Hence prays for grant of anticipatory bail.

4.The learned Additional Public Prosecutor and the learned counsel appearing for the intervenor jointly made a submission that the investigation is pending in this case. They further submitted that a sum of Rs.12,50,000/- possessed by A2, A3 & A4 was already



returned to the De-facto Complainant. However the amount obtained by the petitioner was not returned to the defacto complainant and hence they strongly opposed to grant anticipatory bail to the petitioner.

5. Considering the facts and circumstances of the case that a huge sum of money was cheated by the Petitioner, this court is not inclined to grant anticipatory bail to the petitioner. Accordingly, the petition seeking anticipatory bail is dismissed.

-sd/-

07/09/2021

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,
D-3, ICE HOUSE POLICE STATION,
CHENNAI.

2 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

+2CC to M/S.M.HUSSAINI BASHA Advocate on payment of necessary charges SR.NO.9753

CRL OP.16153/2021

Date :07/09/2021

CSK 22/09/2021