



IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Thursday, the Thirtieth day of September Two Thousand Twenty One

PRESENT

The Hon`ble Mr Justice M.DHANDAPANI

CRIMINAL ORIGINAL PETITION No.18232 of 2021

BOOPATHI

[PETITIONER / ACCUSED]

Vs

THE INSPECTOR OF POLICE,
MALLUR POLICE STATION,
SALEM DISTRICT.
CR.NO.263/2021.

[RESPONDENT]

For Petitioner : M/S.P.PANDIYARAJ Advocate

For Respondent : M/S. A.GOPINATH, 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 offence punishable under Sections 294(b), 323, 324 and 506(ii) of IPC in Crime No.263 of 2021 on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that the petitioner running a finance company, from which, the defacto complainant had borrowed a sum of Rs.50,000/- and executed a promissory note in favour of the petitioner for security. It is further alleged that the defacto complainant had repaid the said amount along with interest, but, the petitioner refused to return the security documents and on questioning the same by the defacto complainant, the petitioner along with other accused had assaulted him. Hence, the complaint.

3.The learned counsel appearing for the petitioner submits that the petitioner has not committed any such offence as alleged by the prosecution and he has been falsely implicated in this case. He further submits that the petitioner has demanded money which was borrowed by the defacto complainant, for which the defacto complainant lodged the false complaint against him. Hence, he prays for grant of anticipatory bail to the petitioner.



4. The learned Government Advocate (Crl.Side) submits that the petitioner is a habitual offender and apart from this case, there are three previous cases pending against him, which are similar in nature. He further submits that the investigation is in preliminary stage and the injured has been discharged from the defacto complainant.

5. Though the injured has been discharged from the hospital, investigation is in preliminary stage and three previous cases are pending against the petitioner, this court is not inclined to grant anticipatory bail to the petitioner.

6. Accordingly, this Criminal Original Petition is dismissed.

-sd/-

30/09/2021

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,
MALLUR POLICE STATION,
SALEM DISTRICT.

2 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

+1 CC to M/S.P.PANDIYARAJ Advocate on payment of necessary charges SR.No.10874

CRL OP.18232/2021

Date :30/09/2021

APN 12/10/2021