



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

Wednesday, the Twenty Seventh day of October Two Thousand Twenty One

PRESENT

The Hon`ble Mr Justice M.DHANDAPANI

CRIMINAL ORIGINAL PETITION No.19137 of 2021

A.SARAVANAN

[PETITIONER / ACCUSED]

Vs

STATE REP.BY
THE INSPECTOR OF POLICE,
RAILWAY POLICE STATION,
KATPADI, VELLORE.
CRIME NO.46 OF 2021.

[RESPONDENT]

For Petitioner : M/S. R.RAJARAJAN Advocate

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

For Intervener : M/S.K.VENKATESWARAN, 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 alleged offence under Sections 406, 420, 294 (b) and 506(i) of I.P.C. in Cr.No.46 of 2021 on the file of the respondent police, seeks anticipatory bail.

2.The case of the prosecution is that the petitioner is alleged to have induced the defacto complainant that he will secure sub contract for the defacto complainant in the Railway Department and received a sum of Rs.25 Lakhs from the defacto complainant and thereafter neither secured the sub contract nor returned the money.

3.The learned counsel appearing for the petitioner submitted that the petitioner has not committed any offence as alleged by the prosecution. He further submitted that initially the petitioner borrowed a sum of Rs.20 Lakhs from the defacto complainant for which the petitioner executed sale agreement and power of attorney in favour of the defacto complainant and thereafter settled the entire amount



and also canceled the sale agreement and power of attorney, however, even thereafter, the defacto complainant demanded money for which, the petitioner lodged a complaint and also issued legal notice. Accordingly, he prayed for grant of anticipatory bail to the petitioner.

4.The learned counsel appearing for the intervenor/defacto complainant would submit that the petitioner never executed any sale agreement in favour of the defacto complainant. It is a false claim inorder to make ground for this case, however, the petitioner lodged false complaint and issued legal notice to the defacto complainant purposely. He further submitted that the alleged amount was received by the petitioner and was not repaid.

5.The learned Government Advocate submitted that investigation is pending.

6.Considering the fact that huge amount is involved in the case and since no document was produced before this Court to substantiate that the alleged amount was repaid to the defacto complainant, this Court is not inclined to grant anticipatory bail to the petitioner. This criminal original petition is accordingly dismissed.

-sd/-

27/10/2021

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 PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

2 THE INSPECTOR OF POLICE,
RAILWAY POLICE STATION,
KATPADI, VELLORE.

+1 CC to M/S. K.VENKATESWARAN Advocate on payment of necessary charges SR.NO.11979

CRL OP.19137/2021

Date :27/10/2021

RW 01/11/2021