



IN THE HIGH COURT OF JUDICATURE AT MADRAS

( Criminal Jurisdiction )

Tuesday, the Ninth day of November Two Thousand Twenty One

PRESENT

The Hon`ble Mrs Justice T.V.THAMILSELVI

CRIMINAL ORIGINAL PETITION No.20861 of 2021

BAKIYARAJ (AS PER FIR) @ BAKIYANATHAN @ ZACHARIA [ PETITIONER /  
ACCUSED ]

Vs

**(\*)THE STATE REP BY**  
**THE INSPECTOR OF POLICE,**  
**H-3, TONDIARPET POLICE STATION,**  
**CHENNAI-600 081.**  
(CRIME NO.1281/2021)

[ RESPONDENT ]

For Petitioner : M/S M.MOHAMMED RAFI Advocate

For Respondent : M/S.N.S.SUGANTHAN, Govt. Advocate ( Crl. Side)

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

ORDER : The Court Made the following order :-

ORDER

(The case has been heard through video conference)

The petitioner, who apprehends arrest at the hands of the respondent police for the alleged offences under Sections 448, 294(b), 506(ii) IPC, in Crime No.1281 of 2021, seeks anticipatory bail.

2.The case of the prosecution is that the sons of the defacto complainant had borrowed money from the accused. Even after returning the money, the accused threatened the son of the defact complainant by demanding exorbitant interest. While so, on 15.08.2021, the petitioner along with few other accused entered into the house of the defacto complainant, threatened her son and daughter in law and forcibly taken signatures in blank cheques and also taken away the original property documents and threatened to settle the amount within a month. Later on 21.09.2021 and 22.09.2021 at about 2 p.m., the petitioner along with other accused went to the shop of the defacto complainant, abused and threatened the staffs in the shop and sent them out of the shop and thereafter, locked the door and taken away the key. Hence, the



3.The learned counsel appearing for the petitioner would submit that the defacto complainant's son had borrowed money from the accused and in order to avoid repayment of money, a false case has been foisted against the petitioner. Hence, he prays for grant of anticipatory bail to the petitioner.

4.The learned Government Advocate raised strong objection stating that the petitioner along with other accused entered into the house of the defacto complainant and threatened the defacto complainant and her family members and obtained signatures in blank cheques and also taken away their property documents. Further, the accused went to their shop and closed the door of the shop and taken away the key. He would further submit that A1 and A2 were arrested and released on bail by the Court below and the petitioner is arrayed as A3.

5.Considering the grave nature of offence and that the investigation is still pending, this Court is not inclined to grant anticipatory bail to the petitioner.

6. Accordingly, this Criminal Original Petition is dismissed.

-sd/-  
09/11/2021

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.

**(\*)AMENDED AS PER ORDER OF THIS COURT DATED 09/12/2021 MADE IN CRL.MP.No.13273 OF 2021 IN CRL.O.P.No.23565 OF 2021**

TO

**(\*)1 THE INSPECTOR OF POLICE,  
H-3, TONDIARPET POLICE STATION,  
CHENNAI-600 081.**

2 THE INSPECTOR OF POLICE,  
WASHERMANPET POLICE STATION,  
CHENNAI-600 002.



3 THE PUBLIC PROSECUTOR  
HIGH COURT, MADRAS.

CC to M/S M.MOHAMMED RAFI Advocate on payment of necessary  
charges

CRL OP.20861/2021

Date :09/11/2021

TA-24/11/2021

JPA 22/12/2021