



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

Wednesday, the Eighth day of December Two Thousand Twenty One

WEB COPY

PRESENT

The Hon`ble Mrs Justice T.V. THAMILSELVI
CRIMINAL ORIGINAL PETITION No.21927 of 2021

VASANTH CHANDRASEKHAR

[PETITIONER / ACCUSED]

Vs

THE STATE REP BY
THE INSPECTOR OF POLICE,
TEAM XX, EDF 3,
CENTRAL CRIME BRANCH-II,
CHENNAI.
REF.(CRIME NO.62 OF 2016)

[RESPONDENT]

For Petitioner : M/S.E.EZHIL CAROLINE Advocate

For Respondent : MR.A.GOKULAKRISHNAN, ADDITIONAL PUBLIC PROSECUTOR

For INTERVENOR : M/S.T.SHANMUGAM Advocate

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 under Section 420 of IPC in Crime No.62 of 2019,seeks anticipatory bail.

2. The case of the prosecution is that the defacto complainant is running a firm and she is in the business of buying cosmetics items from China in wholesale and sell the same in India through online. The accused offered the defacto complainant to sell her products through his company. Accordingly, the defacto complainant visited the offence premises of the accused company and found that around 1000 persons are working and thereafter she decided to appoint the accused to sell her products. The accused was making proper payments for the products brought from the defacto complainant. The defacto complainant's company successfully marketed through accused company. The accused also promised to give more profit for those products. Accordingly, the accused through his email requested the defacto complainant to purchase 2000 pieces of Neroprene Belt from China and promised to settle the sale amount within the period of 4 weeks. When the defacto complainant asked for payment to the accused, the accused offered 5% shares in the company of the accused



and accordingly a Memorandum of Understanding was entered on 21.08.2017. However, the accused did not execute the share transfer before the ROC. Hence the defacto complainant was not able to take charge in the accused company. The defacto complainant asked the accused to resell those products to others. But the accused has informed here that all her products had been already sold. The defacto complainant asked the accused for the payment. There the accused issued 34 cheques for Rs.3,34,00,000/- drawn on SBI Annanagar Branch, however most of them got dishonored. Accordingly, the accused gave two letters of Balance of confirmation for pending payment of Rs.4,59,71,066/-. Hence the complaint.

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 petitioner purchased China products from the defacto complainant from the 2016 onwards there is a business contract for that he issued a cheques and he had a good business relationship with the defacto complainant. But now the defacto complainant gave false complaint. Hence, he prays for grant of anticipatory bail.

4. The learned Government Advocate (Crl.Side) submitted that the petitioner he vehemently opposed to grant anticipatory bail to the petitioner.

5. The learned counsel for the intervenor raised objection stating that even though the business transaction was starts from the year 2016, all these years he has not prepaid the amount. The cheques which was given by him and also dishonored it leads more than Rs.3 Crores and it required detailed investigation.

6. Considering the allegations and the nature of the offences involved in this matter, this Court is not inclined to grant anticipatory bail to the petitioner.

7. Accordingly, this Criminal Original Petition is dismissed.

-sd/-

08/12/2021

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,
TEAM XX, EDF 3, CENTRAL CRIME BRANCH-II,
CHENNAI.

2 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

CC to M/S.E.EZHIL CAROLINE Advocate on payment of necessary
charges

CRL OP.21927/2021

Date :08/12/2021

RVR 14/12/2021