



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

Friday, the Third day of December Two Thousand Twenty One

WEB COPY

PRESENT

The Hon`ble Mrs Justice T.V. THAMILSELVI
CRIMINAL ORIGINAL PETITION No.23264 of 2021

V.KANAGARAJ

[PETITIONER / ACCUSED]

Vs

STATE REP BY
DISTRICT CRIME BRANCH,
NAMAKKAL DISTRICT.
(CRIME NO.19/2020)

[RESPONDENT]

For Petitioner : M/S N.MANOCHARAN Advocate

For Respondent : MR.A.GOKULAKRISHNAN Additional Public Prosecutor

For Intervenor : MR.K.T.S.SIVAKUMAR 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 Sections 406 and 420 of IPC in Cr.No.19 of 2020, seeks anticipatory bail.

2.The case of the prosecution is that the petitioner is yarn broker who purchased yarn from the defacto complainant to the tune of Rs.85 lakhs and failed to repay the amount. When the defacto complainant demanded the money, the petitioner threatened him with dire consequences. 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 and he further submits that the petitioner has filed I.P.No.17 of 2021 is pending before the Principal District Court, Thirupur, due to the pendency of the said I.P, the petitioner was not able to mobilize the money. Hence he prays to grant anticipatory bail to the petitioner.



4. The learned counsel for the intervener raising objection stating that the petitioner is a yarn broker who purchased yarn from the defacto complainant to the tune of Rs.85 lakhs and failed to repay the amount.

5. The learned Government Advocate (Crl.Side) submitted that A2 and A3 were already released on bail but investigation is not completed.

6. Considering the facts and circumstances of the case and also the submissions made by both counsel and the investigation is yet to be completed which needs detailed investigation, this court is not inclined to grant anticipatory bail to the petitioner.

7. Accordingly, this Criminal Original Petition is dismissed.

-sd/-
03/12/2021

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 DISTRICT CRIME BRANCH,
NAMAKKAL DISTRICT.

2 THE PUBLIC PROSECUTOR,
HIGH COURT, MADRAS.

+1 CC to M/S N.MANOCHARAN Advocate on payment of necessary charges SR.NO. 14073

+1 CC to M/S K.T.S.SIVAKUMAR Advocate on payment of necessary charges SR.NO. 14096

CRL OP.23264/2021

Date :03/12/2021

INBA-04/01/2022