



IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Thursday, the Ninth day of December Two Thousand Twenty One

PRESENT

The Hon`ble Mrs Justice T.V.THAMILSELVI

CRIMINAL ORIGINAL PETITION No.23745 of 2021

C.NATARAJAN

[PETITIONER / ACCUSED]

Vs

STATE REP BY
THE INSPECTOR OF POLICE,
CENTRAL CRIME BRANCH,
SALEM CITY.
(CCB CR.NO.11/2021)

[RESPONDENT]

For Petitioner : M/S.D.N.DHURGASHA Advocate

For Respondent : MR.A.GOKULAKRISHNAN, Govt. Advocate (CrI. Side)

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 409, 420 r/w 109 IPC in Crime No.11 of 2021, on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that the defacto complainant had supplied the sarees to the petitioner along with other accused persons on various occasion valued Rs.12,41,300/- whereas in such course of business transaction, the defacto complainant had received a sum of Rs.4,17,000/-. Thereafter, there was some quarrel between them and the balance amount has not been paid by the petitioner along with other accused persons. Further, the petitioner along with other accused persons had cheated the defacto complainant. Hence, the complaint.

3. The learned counsel for the petitioner submitted that the petitioner is an innocent person and he has been falsely implicated in this case. He further submitted that the petitioner is only a delivery man and he is in no way connected in this crime.. He further submitted that the petitioner had appeared before the investigation Agency and obtained an undertaking form the petitioner on 21.01.2021, later the complaint was treated as Mistake of facts. Hence, he prays for grant of anticipatory bail to the petitioner.



4. The learned Government Advocate (Crl.Side) submitted that the petitioner along with other accused persons had cheated the defacto complainant. He further submitted that the allegation levelled against the petitioner and the investigation is at initial stage. Hence, he vehemently opposed for grant of anticipatory bail to the petitioner.

5. Considering the fact that large amounts of money is involved and that the petitioner has cheated the defacato complainant and also taking into consideration the fact that investigation is still going on, enlarging the petitioner on anticipatory bail at this point of time, when the offence is serious in nature and there is likelihood of the petitioner indulging in activities which would be prejudicial for investigation, this Court is not inclined to grant anticipatory bail to the petitioner.

6. Accordingly, this Criminal Original Petition is dismissed.

-sd/-
09/12/2021

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,
CENTRAL CRIME BRANCH,
SALEM DISTRICT.

2 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

CC to M/S.D.N.DHURGASHA Advocate on payment of necessary charges

CRL OP.23745/2021

Date :09/12/2021