



IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Monday, the Twentieth day of December Two Thousand Twenty One

PRESENT

The Hon`ble Mrs Justice T.V. THAMILSELVI

CRIMINAL ORIGINAL PETITION No.24680 of 2021

VENKATA SIVANAGA KUMAR KANTHETI

[PETITIONER / ACCUSED]

Vs

STATE REP BY

[RESPONDENT]

THE INSPECTOR OF POLICE,
CRIME BRANCH C.I.D METRO WING,
EGMORE, CHENNAI-08
(CRIME NO.04/2021)

For Petitioner : M/S.ALI HASSAN KHAN Advocate

For Respondent : MR. A.GOKULAKRISHNAN, Additional Public Prosecutor

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 147, 323, 347, 384 and 420 of IPC in Crime No.4 of 2021, seeks bail.

2. The case of the prosecution is that during the year 2019 the defacto complainant was taken to Thirumangalam PS and was threatened by the Inspector of Police and forced to transfer the property to the petitioner, however the same has been prevented due to the intervention of the advocates. Further alleged that by threatening and force transferred the property in the name of A1. That the petitioner while service as internal auditor in a private company he came to know one Venkatesh owner of "Sai Soft Tech" and he introduced one Rajesh the defacto complainant herein. The defacto complainant duped the petitioner in the name of Lakshmi Balaji and cheated to the tune of Rs.14 crores along with one Venkatesh, hence the petitioner lodge a complaint and he was called for enquiry by the police,



wherein he agreed to settle the amount and informed to the police that he wants to settle the issue amicably / out of police station. Accordingly he executed power of attorney in favour of the petitioner in respect of one property (prior to the present allegation or alleged incident) and seeks some more time, however he failed to honour the commitment. And for the obvious reason the defacto complainant lodged a complaint. 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. Hence, he prays for grant of bail.

4. The learned Additional Public Prosecutor submitted that even though the alleged occurrence was happened in the year of 2019, but at the instigation of these petitioners A1 and A2 who are the rowdy elements unlawfully get the defacto complainant and his family members and obtained forcibly signatures in many blank papers and cheques and also forcibly directed to execute the sale deed in the presence of the Police Officials, hence he gave a complaint and the investigation is pending. Hence, he vehemently opposed to grant bail to the petitioner.

5. Considering the facts and circumstances of this case, as per undertaking given by A1 and A2 anticipatory bail granted with conditions to cancel the documents, but as per the submission made by the prosecution that they are not complied the order passed by this Court. On seeing the facts, still more accused are still absconding, hence no progress in the investigation. Furthermore A1 and A2 who were released on bail not co-operate for the investigation and nor executed the cancellation of the documents as promised before this Court, at the time they getting bail order, hence if they released on bail they may also absconding.

6. Accordingly, this Criminal Original Petition is dismissed.

-sd/-
20/12/2021

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,
CRIME BRANCH C.I.D METRO WING,
EGMORE, CHENNAI-08

2 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

+1 CC to M/S.ALI HASSAN KHAN Advocate on payment of necessary
charges SR.NO.15260

CRL OP.24680/2021

Date :20/12/2021

RW 28/12/2021