



IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Tuesday, the Twenty First day of December Two Thousand Twenty One

PRESENT

The Hon`ble Mrs Justice T.V.THAMILSELVI

CRIMINAL ORIGINAL PETITION No.25051 of 2021

PERIYASWAMY

[PETITIONER / ACCUSED]

Vs

THE STATE REP BY
THE INSPECTOR OF POLICE,
CHINNASALEM POLICE STATION,
KALLAKURICHI DISTRICT.
(CR.NO.627/2021)

[RESPONDENT]

For Petitioner : M/S.G.BALAJIVENKATESWARAN Advocate

For Respondent : MR.A.GOKULAKRISHNAN, Govt. Advocate (Crl. 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 147, 294(b), 506(2), 406 and 420 of IPC in Crime No.627 of 2021, on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution as per the defacto complainant is that the petitioner had cheated a sum of Rs.70,00,000/- in ground nuts business. When the defacto complainant seeking for repayment, the petitioner threatened the defacto complainant with dire consequences. Based on the complaint given by the defacto complainant, the respondent police registered the case. 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 submits that on various dates, the petitioner had repaid a sum of Rs.60,00,000/- and an outstanding balance of Rs.10,00,000/- was accounted as depreciation. He further submits that he had given empty cheques to the defacto complainant as security to the payment of the stock value after selling in the



market, which was misused by the defacto complainant. Hence, he prays for grant of anticipatory bail to the petitioner.

4. The learned Additional Public Prosecutor submitted that there is one previous case pending against the petitioner which are similar in nature and the amount involved is more than one crore. Hence, he vehemently opposed for grant of anticipatory bail to the petitioner.

5. Considering the facts and circumstances of the case and also the fact that there is one previous case which are similar in nature, this Court is not inclined to grant anticipatory bail to the petitioner.

6. Accordingly, this Criminal Original Petition is dismissed.

-sd/-
21/12/2021

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,
CHINNASALEM POLICE STATION,
KALLAKURICHI DISTRICT.

2 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

CC to M/S.G.BALAJIVENKATESWARAN Advocate on payment of necessary charges

CRL OP.25051/2021

Date :21/12/2021

CSK 29/12/2021