



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 22/10/2021

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PRESENT

The Hon`ble Mr.Justice B.PUGALENDHI

CRL OP(MD) . No.11807 of 2021
and

Crl.M.P(MD) No.8569 of 2021

J.Alex Raja

... Petitioner/Sole Accused

Vs

State rep.by

The Inspector of Police,

Sakottai Police Station,

Sivagangai District.

(Crime No.Not Known of 202).

... Respondent/Complainant

For Petitioner : M/s.Satish G.R., Advocate.

For Respondent : M/s.T.Senthilkumar
Government Advocate (Crl.Side)

For Intervenor : M/s.M.Karunanithi, Advocate

PETITION FOR ANTICIPATORY BAIL Under Sec.438 of Cr.P.C

PRAYER :-

For Anticipatory Bail in Crime No. of 2021 on the file of the Respondent Police.

PRAYER : IN CRL.M.P(MD) No.8569 of 2021:-

To permit the petitioner to intervene the Anticipatory Bail petition in Crl.O.P.(MD) No.11807 of 2021 on the file of this Honourable Court

ORDER : The Court made the following order :-

The petitioner/sole Accused, who apprehends arrest at the hands of the respondent police for the alleged offences punishable under Section 420 of IPC in Crime No.Not known/2021, seeks anticipatory bail.



2.The case of the prosecution is that the petitioner herein is the Sub-Dealer of Yamaha vehicles and he is running a show room in the name and style of K.P.Motors in Pudhuvayal, Karaikudi Taluk. One Alagarsamy, Viswananthan, Rajasekar, Abdul and Maruthupandiayan, had booked the bikes. Though the petitioner had received sale amount from the above said persons, he did not deliver the respective vehicles to them. When the said persons asked the petitioner either to repay their respective amount or deliver the vehicles, the petitioner did not repay the amount and also failed to deliver the vehicle. Hence, the complaint.

3.The learned counsel for the petitioner would submit that it is purely a money dispute between the petitioner and the main dealer. He would further submit that the main dealer is not supplying motorcycle to the petitioner, therefore, he is not in a position to deliver the vehicles to his customers.

4.The learned Government Advocate(Crl.side) appearing for the respondent police submitted that the investigation is yet to be completed.

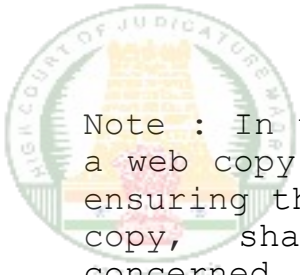
5.Since the petitioner claimed that he is having dispute with the main dealer and he is also willing to settle the issue with his customers, this Court, by an earlier order dated 25.08.2021, granted an order of interim protection to the petitioner enabling her to appear before the respondent police for a period of one week and the interim order has also been extended periodically. Though the petitioner was provided some opportunity to settle the issue with the victims, he has not shown any *bona fide* efforts to settle the issue.

6.Considering the conduct of the petitioner, this Court is not inclined to grant anticipatory bail to the petitioner. Accordingly, this Criminal Original Petition stands dismissed. Consequently, connected miscellaneous petition is closed.

Sd/-
22/10/2021

/ TRUE COPY /

/ /2021
Sub-Assistant Registrar (C.S.I)
Madurai Bench of Madras High Court,
Madurai - 625 023.



Note : In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant concerned.

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TO

1. The Inspector of Police,
Sakottai Police Station,
Sivagangai District.
2. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

ORDER
IN
CRL OP (MD) . No.11807 of 2021
and
Crl.M.P (MD) No.8569 of 2021
Date :22/10/2021

SP/VR/SAR I/15/11/2021/3P/3C