



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)

Date : 01.10.2021

PRESENT

The Hon`ble Mr.Justice B.PUGALENDHI
CRL OP (MD) No.13773 of 2021

WEB COPY

1.Amarnath Gopikannan

2.Mangaiyarkarasi

... Petitioners/Accused No.1 & 2

Vs

State represented by
The Inspector of Police
Kovilpatti East Police Station,
Thoothukudi District.
(Crime No.159 of 2021)

... Respondent/Complainant

For Petitioners : Mr.D.Balamurugapandi
For Respondent : Mr.T.Senthil Kumar,
Additional Public Prosecutor

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

PRAYER :-

For Anticipatory Bail in Crime No.159 of 2021 on the file of the respondent Police.

ORDER : The Court made the following order :

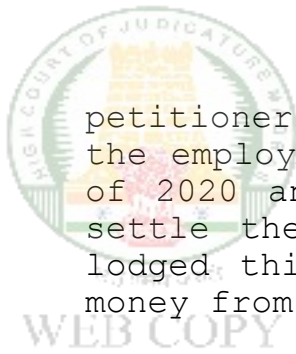
The petitioners apprehending arrest at the hands of the respondent police for the alleged offence punishable under sections 406, 417 and 420 IPC in Crime No.159 of 2021 seek anticipatory bail.

2.The case of the prosecution is that the petitioners are running a company in the name and style of JK consulting company for trading and consultation. The petitioners utilised the services of the defacto complainant and his friends, by way of hiring cars, but failed to pay rent for the same. Hence the complaint.

3.The learned Counsel for the petitioners submits that the first petitioner is running a company in the name and style of JK Consultancy. Where the defacto complainant was initially appointed as Area Manager for Madurai Zone. Since he indulged in irregularities, he was removed from his employment. Therefore, the defacto complainant has lodged a complaint against the company.

<https://hcservices.ecourts.gov.in/hcservices/>

4.The learned Counsel further submitted that one Suresh Kumar is a friend of the defacto complainant and he was an employee of the



petitioners. Since he indulged in irregularities he was removed from the employment. Therefore, he has lodged a complaint in Crime No.58 of 2020 and received the money from the petitioner that he would settle the due to the payees, but he has swindled the money and lodged this false complaint once again with an intention to grab money from the petitioners.

5.The learned Additional Public Prosecutor appearing for the respondent submitted that the petitioners have utilised the services of the defacto complainant and others, but failed to pay for the services enjoyed by them and thereby committed cheating. The investigation is at crucial stage and therefore, opposes grant of anticipatory bail to the petitioner.

6.This Court paid its anxious consideration to the rival submissions and perused the materials placed on record.

7.The petitioner has collected huge amount from the victims under the guise of selection to the State Level Cricket Team and cheated them. The defacto complainant has also invested money by collecting from various persons. However the petitioner failed to repay and instead filed insolvency petition before Court concerned and it is seen that the said petition was also dismissed.

8.Considering the facts and circumstance of the case, the nature of allegations, the stage of the investigation and though it is claimed that the entire amount has been settled, no material is produced before this Court to substantiate the same, this Court is not inclined to grant anticipatory bail to the petitioners. Accordingly, this petition stands dismissed.

sd/-
01/10/2021

/ TRUE COPY /

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

dsk

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.

TO

<https://hccs.courtsofmadras.org/Services/InSP/InSP/Res>
THE INSPECTOR OF POLICE,
KOVILPATTI EAST POLICE STATION,
THOOTHUKUDI DISTRICT.



2. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.

WEB COPY

ORDER IN
CRL OP (MD) No.13773 of 2021
Date : 01/10/2021

SB/VR/SAR-IV/29.10.2021/3P/3C