



IN THE HIGH COURT OF JUDICATURE AT MADRAS

( Criminal Jurisdiction )

Thursday, the Seventeenth day of March Two Thousand Twenty Two

PRESENT

The Hon`ble Mrs Justice V.BHAVANI SUBBAROYAN

CRIMINAL ORIGINAL PETITION No.3341 of 2022

PALANIMALAI

[ PETITIONER / ACCUSED ]

Vs

STATE REP BY  
THE INSPECTOR OF POLICE,  
DISTRICT CRIME BRANCH,  
ARIYALUR DISTRICT.  
(CRIME NO.10/2020)

[ RESPONDENT ]

For Petitioner : M/S.M.VIJAYA RAGAVAN Advocate

For Respondent : MR.S.BALAJI, Govt. Advocate ( Crl. Side)

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

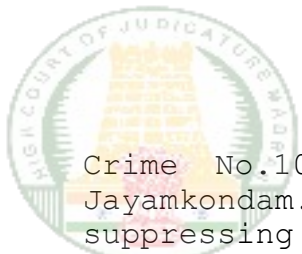
ORDER : The Court Made the following order :-

The petitioner who apprehends arrest at the hands of the respondent police for the alleged offences punishable under Sections 409 and 506(i) of IPC in Crime No.10 of 2020 on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that the defacto complainant is a wholesale dealer of cashew nuts. The petitioner is said to have purchased cashew nuts worth about Rs.20,73,630/- from the defacto complaint and he has paid only Rs.2,00,000/- and the balance amount was not paid. Likewise, the petitioner has cheated two other persons also by purchasing cashew nuts. Hence, this Complaint.

3. Heard the learned counsel for the petitioner and the Learned Government Advocate appearing for the respondent.

4. In the earlier anticipatory bail petition in Crl.O.P.No.20324 of 2020, this Court had granted anticipatory bail on condition that the petitioner shall deposit a sum of Rs.2,00,000/- to the credit of



Crime No.10 of 2020 on the file of Judicial Magistrate No.II, Jayamkondam. The petitioner, without complying the said order and suppressing the above facts, had filed another application in CrI.O.P.No.7531 of 2021 seeking anticipatory bail. Hence, this Court had dismissed the said petition, directing the petitioner to pay a sum of Rs.5,000/- to the Adyar Cancer Institute and Research Centre, by way of Demand Draft, on or before 10.05.2021, and to produce the receipt of the same before the Magistrate concerned at the time of executing surety. This Court had also directed to strictly adhere to the conditions imposed by this Court on 17.03.2021 in CrI.O.P.No.20324 of 2021. In spite of the said directions, the petitioner has not complied to the said orders, and without complying the same, he has now come out with this application stating that due to Covid-19 Pandemic, he was unable to deposit the said amount and now he is ready to deposit the same. It is also seen from the records that, after passing of the order in CrI.O.P.No.7531 of 2021, the petitioner has moved another application in CrI.O.P.No.24238 of 2021 seeking anticipatory bail and the same was dismissed by this Court on 16.12.2021. The said fact was suppressed before this Court by the petitioner.

5. The attitude of the petitioner in not complying the earlier orders passed by this Court and by suppressing the fact that the earlier anticipatory bail petition was dismissed by this Court is highly condemnable and this Court is not inclined to grant anticipatory bail to the petitioner.

6. Accordingly, this Criminal Original Petition is dismissed with a direction to the respondent police to immediately arrest the petitioner within a period of 3 days from the date of receipt of a copy of this order. Further, the petitioner is directed to pay a sum of Rs.10,000/- (Rupees Ten Thousand) to the Adyar Cancer Institute and Research Centre, Adyar, Chennai, within a period of two weeks from thereon.

-sd/-  
17/03/2022

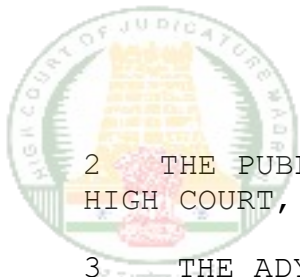
This order, on being produced, be punctually observed and carried into execution by all concerned

TRUE COPY

Sub-Assistant Registrar (Statistics/C.S.)  
High Court, Madras - 600 104.

TO

1 STATE REP BY  
THE INSPECTOR OF POLICE, DISTRICT CRIME  
BRANCH, ARIYALUR DISTRICT (CRIME NO.10/2020)



2 THE PUBLIC PROSECUTOR  
HIGH COURT, MADRAS.

3 THE ADYAR CANCER INSTITUTE AND  
RESEARCH CENTRE, ADYAR, CHENNAI.

WEB COPY

CC to M/S.M.VIJAYA RAGAVAN Advocate on payment of necessary  
charges

CRL OP.3341/2022

Date :17/03/2022

TA-21/03/2022