



IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Wednesday, the Sixteenth day of March Two Thousand Twenty Two

PRESENT

The Hon`ble Mrs Justice T.V. THAMILSELVI

CRIMINAL ORIGINAL PETITION No.3878 of 2022

AND CRL.MP.No.3194 of 2022

RIYAZUDEEN

[PETITIONER / ACCUSED]

Vs

STATE REP BY
THE INSPECTOR OF POLICE,
BAZAAR POLICE STATION,
COIMBATORE DISTRICT
(CRIME NO.668 OF 2021)

[RESPONDENT]

For Petitioner : M/S.C.D.SUGUMAR Advocate

For Respondent : MR.L.BASKARAN, Govt. Advocate (Crl. Side)

For Intervenor : M/S.R.ABUBUCKAR Advocate

PETITION FOR BAIL ANTICIPATORY 438 Cr.P.C.

ORDER : The Court Made the following order :-

The petitioner, who apprehends arrest for the alleged offence under Section 406 and 420 of IPC in Cr.No.668 of 2021 on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that the defacto complainant received a sum of Rs.19,00,000/- from the petitioner on 23.05.2019 and executed a bond in favour of the petitioner. Then the defacto complainant have not able to repay the above said amount, he only paid a sum of Rs.11,00,000/- to the petitioner and for the remaining amount the defacto complainant handed over the six cars. Later, the defacto complainant repaid a sum of Rs.21,00,000/- with interest. However, the petitioner failed to hand over the cars to the defacto complainant. Hence, the complaint.



3. The learned Government Advocate (Crl. Side) raised objection stating that the petitioner is having previous case in similar nature. He further submitted that this Court dismissed the petitioner's earlier anticipatory bail petition in Crl.OP.No.2025 of 2021 dated 05.01.2022. He further submitted that if the petitioner released on anticipatory bail, he may tamper the evidence. Hence, he vehemently opposed for grant of anticipatory bail to the petitioner.

4. Considering the facts and circumstances of the case and also the submission made by both the counsel, the petitioner is having previous case, if he released on bail he may tamper the evidence and after the dismissal of the petitioner's earlier anticipatory bail petition, there is no change of circumstances, this Court is not inclined to grant anticipatory bail to the petitioner. Consequently, connected miscellaneous petition is closed.

5. Accordingly, the Criminal Original Petition is dismissed.

-sd/-
16/03/2022

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 THE INSPECTOR OF POLICE,
BAZZAR POLICE STATION,
COIMBATORE DISTRICT

2 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

CC to M/S.C.D.SUGUMAR Advocate on payment of necessary charges

CRL OP.3878/2022
AND CRL.MP.No.3194/2022

Date :16/03/2022

JPA 24/03/2022