



IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Tuesday, the Fifteenth day of February Two Thousand Twenty Two

PRESENT

The Hon`ble Mr Justice R. PONGIAPPAN

CRIMINAL ORIGINAL PETITION No.3549 of 2022

DINESH RATHOD

[PETITIONER / ACCUSED]

Vs

STATE REP BY
THE INSPECTOR OF POLICE,
CBCID METRO WING-II, EGMORE,
CHENNAI.
CRIME NO.10 OF 2017.

[RESPONDENT]

For Petitioner : M/S.S.PREMKUMAR Advocate

For Respondent : MR.S.SANTHOSH, Govt. Advocate (CrI. Side)

PETITION FOR ANTICIPATORY BAIL 438 Cr.P.C.

ORDER : The Court Made the following order :-

The petitioner, who apprehends arrest for the alleged offences under Sections **406, 420 and 120(B) of IPC** in Crime No.10 of 2017, on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that the defacto complainant is a diamond merchant and it is alleged that the main accused in this case received diamond from the defacto complainant and failed to return the same. Further alleged that the petitioner purchased the said diamonds from the main accused thereby cheated the defacto complainant and also threatened him with dire consequences. Hence, the present case.

3. The learned counsel appearing for the petitioner submitted that the petitioner is an innocent person and he has been falsely implicated in this case. Hence, he prays for grant of anticipatory bail to the petitioner.



4. The learned Government Advocate (Criminal Side) appearing for the respondent Police would submit that in the petition mentioned case, the petitioner is so far not arrayed as an accused. In otherwise, during the time of investigation, the respondent Police issued 41-A notice to the petitioner and after receipt of the same, instead of appearing before the respondent Police, the petitioner filed the present Anticipatory Bail application and prayed for Anticipatory Bail.

5. Heard both sides.

6. Now, on considering the submissions made by the counsels appearing on the either side, it is apparent that the petitioner is not arrayed as an accused. It is a duty of the petitioner to appear before the respondent Police, on receipt of 41-A notice. So, in the said circumstances, the ground raised by the petitioner for granting Anticipatory Bail is not having any valid reason.

7. Therefore, this Criminal Original Petition is closed.

-sd/-
15/02/2022

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,
CBCID METRO WING-II,
EGMORE, CHENNAI.

2 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

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

CRL OP.3549/2022

Date :15/02/2022

TA-18/02/2022