



IN THE HIGH COURT OF JUDICATURE AT MADRAS  
( Criminal Jurisdiction )

Wednesday, the Sixth day of April Two Thousand Twenty Two

PRESENT

The Hon`ble Dr Justice G. JAYACHANDRAN

CRIMINAL ORIGINAL PETITION NO.6827 OF 2022

AND CRL.MP.NO.4214 OF 2022

MALKKINISA

[ PETITIONER / ACCUSED ]

Vs

STATE REP BY  
THE INSPECTOR OF POLICE,  
J-9, THURAIBAKKAM POLICE STATION,  
CHENNAI DISTRICT.  
CRIME NO.15 OF 2022

[ RESPONDENT ]

ANDREW ANITES

[ INTERVENING PETITIONER /  
DEFACTO COMPLAINANT ]

[Ordered as per order of this Court dated 06/04/2022 made in  
CRL.MP.NO.4214 OF 2022 IN CRL.OP.NO.6827 OF 2022]

For Petitioner : M/S. S.SURESH Advocate

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

For Intervenor : M/S.A.RAJKUMAR Advocate

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

ORDER : The Court Made the following order :-

The petitioner, who apprehends arrest for the alleged offences under Sections 406 and 420 of IPC, in Crime No.15 of 2022 on the file of the respondent police, seeks anticipatory bail.

2. Totally there are four accused, the petitioner herein is arrayed as A2. The petitioner herein apprehending arrest on the complaint alleging that they have cheated a sum of Rs.16,50,000/- and 15 sovereigns of gold jewels from the defacto complainant has filed the petition for anticipatory bail.



3. Heard the learned counsel for the petitioner, learned counsel for the intervener and the learned Government Advocate (Crl.Side).

WEB COPY

4. On perusing the case records, this Court found that, this petitioner had enticed the defacto complainant promising high returns for the investment and has received money on several occasions, to a tune of Rs.16,50,000/- and they promised to sell some property at Severam main road but later it was found that they are not the owners of the property and they have no right to deal with the property.

5. Earlier, the matter came up for consideration, the learned counsel for the petitioner stated that the money transaction between the defacto complainant and the petitioner started in the year 2012 and thereafter the proposed venture failed and the parties entered into compromise in the year 2017, settled all the dues. Therefore, this Court adjourned the matter for the production of the alleged compromise settlement, but today, the counsel for the petitioner could not produced the alleged compromise deed.

6. In the said circumstances, on going through the records, this Court finds that the petitioner herein right from instruction has received money from the defacto complainant with false promise and cheated them.

7. Considering the nature of offence, this Court is not inclined to grant anticipatory bail to the petitioner. Accordingly, this Criminal Original Petition is dismissed.

-sd/-  
06/04/2022

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,  
J-9, THURAIBAKKAM POLICE STATION,  
CHENNAI DISTRICT.

2 THE PUBLIC PROSECUTOR  
HIGH COURT, MADRAS.

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

CRL OP.6827 OF 2022  
& CRL.MP.NO.4214 OF 2022

Date :06/04/2022

MK:18/04/2022