



IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Friday, the Tenth day of June Two Thousand Twenty Two

PRESENT

The Hon`ble Mr Justice G.K. ILANTHIRAIYAN

CRIMINAL ORIGINAL PETITION No.12549 of 2022

AND CRL.M.P.No.6996 of 2022

SURESH @ THIRUNAVUKKARASU

[PETITIONER / ACCUSED]

Vs

STATE REP BY

[RESPONDENT]

THE INSPECTOR OF POLICE,
DISTRICT CRIME BRANCH,
COIMBATORE.
CRIME NO.5/2022.

For Petitioner : M/S.L.JAI VENKATESH Advocate

For Respondent : MR.A.DAMODARAN, Additional Public Prosecutor,

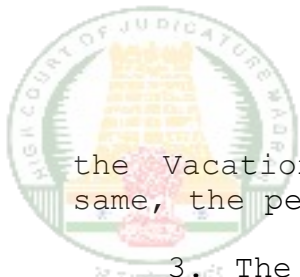
For Intervener : M/S.MOHAMED RIYAZ, Advocate

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

ORDER : The Court Made the following order :-

The petitioner apprehends arrest at the hands of the respondent police for the alleged offence punishable under Section 420 of IPC, in Crime No.5 of 2022, seeks anticipatory bail.

2. The case of the prosecution is that the petitioner and the defacto complainant entered into a sale agreement in respect of the property situated at Kaniyur Village for which the defacto complainant received an advance amount of Rs.30,00,000/- from the petitioner. On 14.12.2021, the defacto complainant executed a sale agreement. On the same day, the petitioner received the said amount by way of cash stating that he will return the said amount on the next day. In spite of repeated demands, the defacto complainant was made to wait and later the defacto complainant filed a suit before the V Additional District Court, Coimbatore and the petitioner also filed a suit before the IV Additional District Court, Coimbatore. Resultantly, the petition filed by the petitioner was dismissed by



the Vacation & Sessions Judge, Coimbatore. Aggrieved against the same, the petitioner has filed this petition.

3. The learned counsel for the petitioner submitted that the petitioner is an innocent person and no way connected with the alleged offence. He has been falsely implicated in this case. Hence he prays to grant anticipatory bail to the petitioner.

4. The learned Additional Public Prosecutor submits that if the petitioner is granted anticipatory bail, there is a possibility that he will tamper the witnesses and hamper the investigation. He would further submit that eleven previous cases excluding the present case is pending against the petitioner and hence he vehemently opposed to grant anticipatory bail to the petitioner.

5. Taking into consideration the allegations and also the bad antecedent of the petitioner and the fact that eleven previous cases excluding the present case is pending against the petitioner and that the custodial interrogation of the petitioner is essential, this Court is not inclined to grant anticipatory bail to the petitioner.

6. Accordingly, this Criminal Original Petition is dismissed.

-sd/-

10/06/2022

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,
DISTRICT CRIME BRANCH,
COIMBATORE.

2 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

+1 CC to M/S.L.JAI VENKATESH Advocate on payment of necessary charges SR.NO.9070

+1 CC to M/S.MOHAMED RIYAZ, Advocate on payment of necessary charges SR.NO.8875

CRL OP.12549/2022

AND CRL.M.P.No.6996 of 2022

Date :10/06/2022

TA-21/06/2022