



IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Thursday, the Ninth day of June Two Thousand Twenty Two

PRESENT

The Hon`ble Mr Justice G.K. ILANTHIRAIYAN

CRIMINAL ORIGINAL PETITION No.13295 of 2022

V.BALARAMAN

[PETITIONER / ACCUSED]

Vs

STATE REP BY
THE INSPECTOR OF POLICE,
DISTRICT CRIME BRANCH,
TIRUPPUR.
(CR.NO.3 OF 2021)

[RESPONDENT]

For Petitioner : M/S. L.MOULI Advocate

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

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

ORDER : The Court Made the following order :-

The petitioner who apprehend arrest at the hands of the respondent police for the offences punishable under Section 420 of IPC in Crime No.3 of 2021, seek anticipatory bail.

2. The case of the prosecution is that the the petitioner is running Gold Ornament business at Door No.63/1, 63/2, Dharapuram Pollachi Road, Tiruppur and it is alleged that on 07.11.2020 the de-facto complainant alleged to have handed over 2,750.350 grams of five Gold bars for purpose of making Gold Ornaments and the petitioner herein alleged to have promised to return the Gold Ornaments within five months but petitioner did not either returned Gold Ornaments nor gold bars and on the other hand the petitioner had closed the shop and absconded. Hence the complaint.

3. The learned counsel appearing for the petitioner would submit that on coercion and complaints, received signature on the 20 Rupees Stamp paper from the petitioner and the de-facto complainant and also filed suit for recovery of money in C.O.S.No.36 of 2021 on the file



of the learned Principal District Court, Coimbatore and the same pending. In fact, the petitioner has nothing to do with the de-facto complainant and his son, who alone is running a jewellery shop and hence, he prays to grant anticipatory bail to the petitioner.

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4. The learned Additional Public Prosecutor would submit that the de-facto complainant is running a jewellery shop and has handed over 2750.350 grams to the petitioner for making gold ornaments, whereas, the petitioner failed to make any golden ornaments and also failed to return the golden bars to the petitioner. In fact, the defacto complainant filed a suit for recovery of money to the tune of Rs. 1,51,76,386,09 in the O.S.No.36/2021 on the file of the learned Principal District Judge, Coimbatore and it is pending. That apart, another complaint was filed against his son, the same was registered Crime No. 20 of 2021 for the very same allegations and he also cheated huge sum. Therefore, custodial interrogation of the petitioner is very much required in this case, since, the petitioner has received very huge money value to make golden ornaments. Hence, he opposed to grant anticipatory bail to the petitioner.

5. Considering the facts and circumstances of the issues involved herein as well as the allegations made on behalf of the petitioner, the custodial interrogation of the petitioner is very much essential and in conclusion, this Court is not inclined to grant anticipatory bail to the petitioner.

6. Accordingly, this Criminal Original Petition is dismissed.

-sd/-

09/06/2022

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 PRINCIPAL DISTRICT JUDGE
COIMBATORE.

2 THE INSPECTOR OF POLICE,
DISTRICT CRIME BRANCH,
TIRUPUR.



3 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

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+1CC to M/S. L.MOULI Advocate on payment of necessary charges
SR.No.8804

CRL OP.13295/2022

Date :09/06/2022

CSK 22/06/2022