



Crl.OP.No.17417 of 2022

Crl.O.P.No.17417 of 2022

WEB C **G.K.ILANTHIRAIYAN, J.**

The petitioner who apprehends arrest at the hands of the respondent police for the alleged offences punishable under Sections 406 and 420 of IPC, in Crime No.12 of 2022, seeks anticipatory bail.

2. The case of the prosecution is that the petitioner is running a Korean based Automobile company. The defacto complainant is a sub contractor under the petitioner. The petitioner approached the defacto complainant for construction work. After completion of the work by the defacto complainant, the petitioner failed to settle the amount to the defacto complainant, thereby cheated him to the tune of Rs.5.02 Crores. Hence, the complaint.

3. The learned counsel for the petitioner submitted that the petitioner is an innocent person and no way connected with the alleged offence. He would also submit that he is ready to abide with any stringent condition as imposed by this Court. Hence, he prays to grant anticipatory bail to the petitioner.

4. Mr.V.Karthick, learned Senior Counsel appearing for the Intervener would submit that the *modus operandi* of the petitioner is that time to time they



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are changing the name of the company and flew away to Korea without settling the amount to the sub contractors.

5. The learned Additional Public Prosecutor appearing for the respondent Police submits that the petitioner is running a Korean based Automobile company. He has appointed some sub contractors for construction work, in which the defacto complainant is also one of them. After completion of the work, the petitioner failed to settle the amount to the sub contractors, thereby cheated them. Hence, he vehemently opposed to grant anticipatory bail to the petitioner.

6. It is seen that the petitioner is a main contractor and the defacto complainant is a sub contractor. The petitioner is running a Korean based Automobile company. The petitioner engaged some sub contractors to construct a factory including Civil, Electrical and Mechanical specifications. After receipt of the work, the petitioner failed to settle the amount to the sub contractors. It is also seen that though it is a work given to the defacto complainant, the petitioner is in due of Rs.5.02 Crores. In fact, already the defacto complainant filed a suit for recovery of money, in which the petitioner herein settled a sum of Rs.76 Lakhs and compromised the suit.



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7. Taking into consideration the facts and circumstances of the case, the custodial interrogation of the petitioner is very much required in this case. Hence, this Court is not inclined to grant anticipatory bail to the petitioner.

8. Accordingly, this Criminal Original Petition is dismissed.

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