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CRL.O.P.No.22769 of 2022

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T.V.THAMILSELVI,J.

The petitioner, who apprehends arrest for the alleged offence under Sections 147, 148, 448, 506(ii), 406 and 420 of IPC in Cr.No.1444 of 2021, seeks anticipatory bail.

2.The case of the prosecution is that when the petitioner/accused was working at Hyundai Mobis, Chennai, intended to start a new business venture and sought for investment and received money from the respondent/complainant. The respondent invested Rs.85.00 lakhs in petitioner's business venture and in return, he was promised and assured a profit of Rs.5,00,00,000/-. The accused issued the subject cheques and the same was dishonoured as “Payment Stopped by Drawer”. After issuing the statutory notice, the complaint has been preferred which was taken on file by the learned Fast Track Court, Magistrate Level in S.T.C.Nos.14 and 15 of 2022.



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3. The learned counsel appearing for the petitioner submitted that the petitioner has not committed any offence as alleged by the prosecution and he has been falsely implicated in this case. He further submitted that the subject cheques were stolen and forcibly obtained by the complainant. Hence, the complaint.

4. The learned Government Advocate (Crl.Side) submitted that when the petitioner/accused was working at Hyundai Mobis, Chennai, intended to start a new business venture and sought for investment and received money from the respondent/complainant. The respondent invested Rs.85.00 lakhs in petitioner's business venture and in return, he was promised and assured a profit of Rs.5,00,00,000/-. The accused issued the subject cheques, and the same was dishonoured as "Payment Stopped by Drawer". After issuing the statutory notice, the complaint has been preferred which was taken on file by the learned Fast Track Court, Magistrate Level in S.T.C.Nos.14 and 15 of 2022. He further submitted that investigation is at



crucial stage, if the petitioner is granted anticipatory bail at this stage, there will be possibility of tampering the witnesses and hampering the investigation. He also submitted proceedings under Section 138 of the Negotiable Instruments Act, was initiated as against the petitioner before the Fact Track Court, Thiruvallur. Hence, he vehemently opposed to grant anticipatory bail to the petitioner.

5. The learned counsel for the Intervenor appearing for the defacto complainant raised strong objection to grant anticipatory bail to the petitioner.

6. Heard the learned counsel for the petitioner, the learned counsel for the intervenor, the learned Government Advocate (Criminal Side) appearing for the respondent police and perused the material available on records.

7. On perusal of the typed set of paper reveals that there was some communication and transaction between the parties which needs detail



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investigation to unearth the truth. Considering the fact that investigation is at crucial stage, if the petitioner is granted anticipatory bail at this stage, there is possibility of tampering the witnesses and hampering of

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investigation, this Court is not inclined to grant the relief sought for in this petition. Hence, this Criminal Original Petition for anticipatory bail stands dismissed.

14.12.2022

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