

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

Friday, the Twenty Eighth day of January Two Thousand Twenty Two
PRESENT

The Hon`ble Mrs Justice T.V. THAMILSELVI
CRIMINAL ORIGINAL PETITION No.25312 of 2021

1 MAHES NAIR [PETITIONERS / ACCUSED]
2 RAMAN GURUSHANKAR
3 UDAY KUMAR SAMUEL

Vs

THE STATE REP BY ITS [RESPONDENT]
THE INSPECTOR OF POLICE,
CENTRAL CRIME BRANCH-I, POLICE STATION,
CHENNAI DISTRICT.
CR.NO.207/2021.

For Petitioner : M/S.K.MYILSAMY Advocate

For Respondent : MR.A.GOKULAKRISHNAN, ADDITIONAL PUBLIC PROSECUTOR

For Intervenor : MR.M.DEIVANANDAM Advocate

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

ORDER : The Court Made the following order :-

The petitioners, who apprehend arrest at the hands of the respondent police for the alleged offence under Sections 406, 420, 34 of Indian Penal Code, in Crime No.207 of 2021 on the file of the respondent seeks anticipatory bail.

3. The case of the prosecution is that the petitioners are arrayed as A1 to A3. The first petitioner and the defacto complainant are blood brothers. It is alleged that in the year 2013, the petitioners made a business proposal with the defacto complainant for taking over Sick Tea Estate Companies. Accordingly, the defacto complainant by mortgaging his house with HDFC Bank has transferred a sum of Rs.1 Crore to the Sick Tea Estate Companies. Thereafter, the petitioners avoided the defacto complainant and thereby cheated her. Hence, the complaint.

4.The learned counsel for the petitioner submits that the petitioner did not commit any offence as alleged by the prosecution. He further submits that there was no connection between the sick companies and the petitioners. Hence, he seeks for grant of anticipatory bail to the petitioner.

5. The learned Counsel appearing for the intervener raised his strong objections for granting anticipatory bail to the petitioner stating that the petitioners had cheated the defacto complainant to the tune of Rs.1 Crore. He further produced a mail dated 26.03.2014 which was sent by the defacto complainant to the 1st petitioner with regard to the transactions.

6. The learned Additional Public Prosecutor submits that the investigation is at initial stage. However, he vehemently opposed for grant of anticipatory bail to petitioner.

7. In view of the above submissions, the petitioners on a contrary denied the alleged transactions which needs detailed investigation, hence this court is not inclined to grant anticipatory bail to the petitioners.

8. Accordingly, this Criminal Original Petition is dismissed.

-sd/-
28/01/2022

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,
CENTRAL CRIME BRANCH-I, POLICE STATION,
CHENNAI DISTRICT.

2 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

+1 CC to M/S.K.MYILSAMY Advocate on payment of necessary charges
SR.NO.1612

CRL OP.25312/2021

Date :28/01/2022

MK:04/02/2022