



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)
Date : 01/12/2022
PRESENT

WEB COPY

The Hon`ble Mr.Justice A.A.NAKKIRAN

CRL.O.P. (MD) Nos.1739 and 13900 of 2022

1 SUBRAMANIYAN
2 KARTHIKA

... PETITIONERS / ACCUSED No.2 & 3
IN CRL.O.P. (MD) No.1739 of 2022

S.GOKULAKRISHNAN

... PETITIONER / ACCUSED NO.1
IN CRL.O.P. (MD) No.13900 of 2022

Vs

1 THE STATE REP.BY,
THE INPSECTOR OF POLICE
PATTUKOTTAI TOWN POLICE STATION,
PATTUKOTTAI,
THANJAVUR DISTRICT.
(CRIME NO.1149/2021)

... RESPONDENT / COMPLAINANT
IN CRL.O.P. (MD) No.1739 of 2022

2 GOKULA KRISHNAN

... 2nd RESPONDENT
IN CRL.O.P. (MD) No.1739 of 2022

(R2 SUO MOTU IMPEADED AS PER
ORDER DATED 20/07/2022 BY THIS
HONOURABLE COURT IN CRL OP(MD)
1739 OF 2022)

THE STATE REP.BY,
THE INPSECTOR OF POLICE
PATTUKOTTAI POLICE STATION,
THANJAVUR DISTRICT.
IN CRIME NO.1149/2021

RESPONDENT / COMPLAINANT
IN CRL.O.P. (MD) No.13900 of 2022

For Petitioner : M/s. SHANKAR GANESH.R., Advocate
IN CRL.O.P. (MD) No.1739 of 2022

For Petitioner : MR.A.ANANDA RAJ, Advocate
IN CRL.O.P. (MD) No.13900 of 2022

For R1 : Mr.E.ANTONY SAHAYA PRABAHAR,
Additional Public Prosecutor
(in both petitions)



For intervener : Mr.B.ANANDAN
(in both petitions)

PETITIONS FOR ANTICIPATORY BAIL Under Sec.438 of Cr.P.C

COMMON PRAYER :- For Anticipatory Bail in Crime No. 1149/2021 on the file of the Respondent Police.

COMMON ORDER : The Court made the following order :-

The petitioners, who apprehend arrest at the hands of the respondent police for the offences punishable under Sections 294(b), 420, 448 and 506(ii) of IPC, in Crime No.1149 of 2021, seek anticipatory bail.

2.The case of the prosecution is that the petitioners and the first accused are acquainted with the defacto complainant in car resale business and during the course of business, the petitioners and other accused received a sum of Rs.12,40,000/- for purchasing cars and thereafter, cheated the de-facto complainant. Hence, the complaint.

3. The learned counsel for the petitioners would submit that due to money transaction dispute between the friends of the first accused and the de-facto complainant, a false complaint has been given against the petitioners and that the petitioners have not received any money from the defacto complainant. He would further submit that the petitioners are innocents and they have not committed any offence as alleged by the prosecution. Hence, they may be granted anticipatory bail.

4.The learned Government Advocate (Crl.Side) would submit that the petitioners and other accused cheated the defacto complainant to the tune of Rs.12,40,000/- in various transactions and cash on hand for purchasing cars. He would further submit that the investigation in this case is not completed and the cheated amount is not yet recovered and hence, the custodial interrogation of the petitioner is very much necessary in this case and he opposed for grant of anticipatory bail to the petitioners.

5. The learned counsel for the intervener vehemently opposed for grant of anticipatory bail stating that the petitioners and other accused cheated the defacto complainant to the tune of Rs.12,40,000/- for the purpose of purchasing cars.

6.Considering the nature and gravity of the offence and the objections raised by the prosecution and also considering the facts that huge amount involved in this case and the investigation is pending, the custodial interrogation of the petitioners are very much necessary in this case. Hence, this Court is not inclined to grant anticipatory bail to the petitioners.



7. Accordingly, these Criminal Original Petitions are dismissed.

sd/-

01/12/2022

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/12/2022

Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

BUC
TO

- 1 THE INPSECTOR OF POLICE
PATTUKOTTAI TOWN POLICE STATION,
PATTUKOTTAI,
THANJAVUR DISTRICT.
- 2 THE INSPECTOR OF POLICE,
PATTUKOTTAI POLICE STATION, THANJAVUR DISTRICT.
- 3 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADRUAI.

+1. CC to M/S. SHANKAR GANESH.R. Advocate SR.No.14177

ORDER

IN

CRL.O.P. (MD) Nos. 1739 and
13900 of 2022

Date : 01/12/2022

SA/BUC/SAR.2/26.12.2022/3P/5C