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CRL OP(MD). N



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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)

Date : 28/10/2022

PRESENT

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

CRL OP(MD). No.18796 of 2022

S.Prashnave ... Petitioner/Accused rank not known

Vs

1. The Superintendent of Police,
Trichy District, Trichy.
2. The Inspector of Police,
District Crime Branch,
Trichy District.
3. The Sr.Inspector of Police,
Malabar Hill Police Station,
Mumbai City,
Maharashtra State
(Crime No.257 of 2022). ... Respondents/Complainant

For Petitioner : M/s.Selvanayagam D,
Advocate.

For Respondent : Mr.M.Muthumanikkam,
Government Advocate (Crl.Side)

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

PRAYER :-

To grant an Interstate Anticipatory Bail to the Petitioner in the event of his arrest or on his appearance before any court in connection with the case in Crime No.257 of 2022 pending investigation on the file of the third respondent police.

ORDER : The Court made the following order :-

The petitioner, who apprehends arrest at the hands of the third respondent police for the offence under Section 420 IPC in Crime No.257 of 2022, seeks interstate anticipatory bail.

<https://www.mh2b.org.in/>



2.The case of the prosecution is that the petitioner has received money from the de-facto complainant and thereafter, not returned the said money. Hence, the complaint.

3.The learned counsel for the petitioner would submit that the entire amount involved in this case was received by one Sivakumar, but the amount was credited to the bank accounts of the petitioner and his brother one Chandraneve. He would further submit that the said Sivakumar was in judicial custody in connection with some other case. He would further submit that the petitioner is innocent and he is no way responsible for the alleged transactions. Hence, he prays for anticipatory bail.

4.The learned Government Advocate (Crl. side) would submit that it is a case of job racketing. The petitioner also involved in similar case in Crime No.4 of 2022, where, he got anticipatory bail by this Court in Crl.O.P.(MD)no.1760 of 2022, dated 16.02.2022 and in that case, totally, there are 20 victims belonging to the petitioner's area and one among them, is the de-facto complainant, belonging to Mumbai City. In connection with this case, the third respondent police issued summons against the petitioner and the investigation is still pending. Hence, he strongly opposed to grant anticipatory bail.

5.Considering the facts and circumstances of the case and also considering the serious allegation levelled against the petitioner, this Court is not inclined to grant anticipatory bail to the petitioner.

6.Accordingly, this Criminal Original Petition is dismissed.

sd/-

28/10/2022

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/11/2022

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

TO

- 1 THE SUPERINTENDENT OF POLICE
TRICHY DISTRICT, TRICHY
- 2 THE INSPECTOR OF POLICE
DISTRICT CRIME BRANCH, TRICHY DISTRICT
- 3 THE SR.INSPECTOR OF POLICE
MALABAR HILL POLICE STATION, MUMBAI CITY,
MAHARASHTRA STATE



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4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.

+1. CC to M/S.SELVANAYAGAM D Advocate SR.No.12153

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ORDER

IN

CRL OP(MD) No.18796 of 2022

Date :28/10/2022

SS/SBN/SAR I/07/11/2022/ 3P 6C