



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

Date : 18/11/2022

PRESENT

WEB COPY

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

CRL OP(MD). No.19281 and 19509 of 2022

1. Manickavasagam
2. Deepaarun
3. Kamayee
4. Moka @ Mohan
5. Pushpam

... Petitioners/Accused NO.3 to 7
in Crl.OP(MD) No.19281/2022

Theeptha

... Petitioner/Accused No.8
in Crl.OP(MD) No.19509/2022

Vs

1. The State Rep. By,
The Inspector of Police,
Viruveedu Police Station,
Dindigul District.
(Cr No.206/2022).

... Respondent/Complainant
in both petitions

2. Praveenkumar

... Petitioner/Intervener
in CRL MP(MD) No.13499/2022
in CRL OP(MD) No.19281/2022

For Petitioner : M/s. Sivaprakash.S., Advocate.
in CRL OP(MD) No.19281/2022

: M/s.B.Viswanathan, Advocate
in CRL OP(MD) No.19509/2022

For Respondent : Mr.E.Antony Sahaya Prabahar,
Additional Public Prosecutor
in both petitions

For Intervenor : Mr.C.Vakeeswaran, Advocate
in CRL OP(MD) No.19281/2022

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

COMMON PRAYER :-

For Anticipatory Bail in Cr No.206/2022 on the file of the
respondent police.

<https://www.mhc.tn.gov.in/judis>



ORDER : The Court made the following order :-

The petitioners apprehending arrest at the hands of the respondent police for the offences punishable under sections 406, 420, 120(B) of IPC in Crime No.206 of 2022 on the file of the respondent police, seek anticipatory bail.

2.The case of the prosecution is that A1 and A2 requested the defacto complainant to purchase three Lorries and one Bolero Car for their business. Based on the assurance given by A1 and A2, the defacto complainant entered into hire purchase with M/s. Sri Ram Transport Finance Company Batlagundu, but, subsequently, the petitioners have neither pay the loan amount nor return the vehicle.

3. The learned counsel appearing for the petitioners would submit that the petitioners are innocent and they have not committed any offence as alleged by the prosecution.

4. The learned counsel for the intervenor submitted that the petitioners have not paid the loan amount to the finance Company and cheated the defacto complainant and hence, he seeks dismissal of this petition.

5. The learned Government Advocate (Crl.Side) appearing for the respondent would submit that totally 9 accused involved in this case and the A1 and A2 have purchased the vehicles from the defacto complainant and based on the assurance given by A1 and A2, the defacto complainant obtained the loan from the finance company, but, subsequently, the petitioners have not repaid the same and cheated a sum of Rs.25,00,000/- and the petitioners in Crl.O.P(MD).No.19281 of 2022 are family members of the accuse and hence, the custodial interrogation of the petitioners is necessary and strongly objected to grant anticipatory bail to the petitioner.

6. Considering the facts and circumstances of the case and also considering the fact that the petitioners have cheated a huge amount of Rs.25,00,000/- and that there is a serious nature of allegations made against the petitioners, this Court is not inclined to grant anticipatory bail to the petitioners. Accordingly, these Criminal Original Petitions are dismissed.

sd/-
18/11/2022

/ TRUE COPY /

/11/2022
Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.



TO

1. THE INSPECTOR OF POLICE,
VIRUVEEDU POLICE STATION,
DINDIGUL DISTRICT.

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

+1 CC to M/s.C.VAKEESWARAN, Advocate (SR-13324[I] dated
18/11/2022)

+1 CC to M/s.S.SIVAPRAKASH, Advocate (SR-13414[I] dated
22/11/2022)

ORDER
IN
CRL OP(MD). No.19281 and
19509 of 2022
Date :18/11/2022

TRP
USK/SSS/SAR-III/30.11.2022/3P/5C