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Crl.O.P.No.4801 of 2023

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A.D.JAGADISH CHANDIRA.,J.

The petitioner, who apprehends arrest at the hands of the respondent Police for the offences punishable under Sections 406 and 420 of IPC in Crime No.371 of 2022, seeks anticipatory bail.

2. The case of the prosecution as per the defacto complainant/Rajendran is that the accused had contacted him on seeing advertisement through online and stated that he is ready to take the car on rent. Believing the same, the defacto complainant handed over the car to one Ponnusany/A1 and the said Ponnusamy paid rent for two weeks and thereafter, evaded to pay the rental amount and switched off his mobile phone. When the defacto complainant approached, A1 along with the petitioner neither accepted to enter into an agreement nor refused to return the car. Hence the complaint.

3.The learned counsel appearing for the petitioner would



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submit that the petitioner is an innocent person and he has been falsely implicated in this case. He would further submit that the name of the petitioner does not find place in the first information report and he is no way connected with the alleged offence. Hence, he prays for grant of anticipatory bail to the petitioner.

4.The learned Government Advocate (Crl.Side) appearing for the respondent would submit that dispute with regard to the payment of rental amount to the car rented by the petitioner. He would submit that the car is yet to be recovered from the accused. A1 in this case is still absconding. Hence, he opposed for grant of anticipatory bail to the petitioner.

5.Heard the learned counsel for the petitioner and the learned Government Advocate (Crl.Side) for the respondent and perused the materials available on record.

6.Considering the facts and circumstances of the case and also the submissions made by the learned Additional Public Prosecutor that



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the car is yet to be recovered, this court is not inclined to grant anticipatory bail to the petitioner with certain conditions.

7. Accordingly, this Criminal Original Petition is dismissed.

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