



CrI.O.P.No.6256 of 2023

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T.V.THAMILSELVI, J.

The petitioners, who apprehend arrest at the hands of the respondent police for the offences punishable under Sections 408, 420 and 120(B) IPC, in Crime No.9 of 2023 on the file of the respondent police, seek anticipatory bail.

2. The case of the prosecution is that the defacto complainant is running a company under the name and style of Rajasthan Trailor Transport and Sukhlal Choudhary & Brothers and they are maintaining Current Account in ICICI Bank for business purpose. While being so, the petitioners herein who were the close relatives of the defacto complainant said to have joined in the above said company for maintaining the business in Chennai. It is further alleged that the petitioners have cheated the defacto complainant by fabrication of the document and misappropriated the funds to the tune of Rs.3 Crores. Hence, the case.

3. The learned counsel for the petitioners submitted that the petitioners are innocent persons. He further submitted that ever since from the date of joining in the defacto complainant's company, the petitioners



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have sincerely and hard worked for the betterment and upliftment of the company without any bad reputations. He also submitted that the petitioners have not fabricated any documents and misappropriated the funds as alleged by the prosecution. He further submitted that A2 has been arrested and remanded to judicial custody. Hence, he prays for granting anticipatory bail to the petitioner/A3.

4. The learned Government Advocate (Crl.Side) appearing for the respondent submitted that the petitioners who were the close relatives of the defacto complainant joined in the defacto complainant's company and fabricated the documents and misappropriated the funds to the tune of Rs.3 Crores. He also submitted that 41A notice has been served against the petitioners, A3 not appear, A1 and A2 were arrested and remanded to judicial custody, A4 is also absconding. The investigation is at crucial stage, if the petitioners are granted anticipatory bail at this stage, there will be possibility of tampering the witnesses, hampering the investigation and abscondance. Hence, he vehemently opposed for grant of anticipatory bail to the petitioners.



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5. The learned counsel for the Intervenor raised strong objection for grant of anticipatory bail to the petitioners. He further submitted that near about Rs.3 Crores were involved in this case and if the petitioners are granted anticipatory bail then the defacto complainant will sustain a heavy loss. Hence, she opposed for grant of anticipatory bail to the petitioners.

6. Heard the learned counsel for the petitioners, the learned counsel for the Intervenor and the learned Government Advocate (Crl.Side) appearing for the respondent police and perused the materials available on record.

7. Considering the facts and circumstances of the case, huge amount is involved and the overtact against the petitioners, detailed investigation in this case is required, hence this Court is not inclined to grant anticipatory bail to the petitioner/A3. As far as A2 is concerned, since he has already been arrested nothing survives in this petition.

8. Accordingly, the Criminal Original petition is dismissed.

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