



Crl.O.P.No.7837 of 2023

Crl.O.P.No.7837 of 2023

WEB COPY

RMT.TEEKAA RAMAN, J.

The petitioners, who apprehend arrest at the hands of the respondent police for the offence punishable under Sections 120-B, 406 & 420 of IPC, in Crime No. 39 of 2023 on the file of the respondent police, seek anticipatory bail.

2. The case of the prosecution is that the petitioners are the family members, carrying on business under the name and style of M/S.Kamadhenu Jewellery at Avadi. The 2nd petitioner, who is the proprietor of the said Jewellery, had availed credit facility from City Union Bank Ltd., Arumbakkam Branch, Chennai, for which the other petitioners stood as guarantors. All these persons have offered their immovable properties as security, in terms of the MOD dated 04.12.2017. The said credit facility was availed by concealing the ongoing dispute with one Thayarammal, before the Principal District Munsif Court, Poonamallee, in O.S.No.425 of 2012 and that the Bank



Crl.O.P.No.7837 of 2023

WEB COPY

was aware of this only after initiating SARFAESI proceedings; that the petitioners had sold most of the stock in the showroom and not routed through Open Loan Cash Credit Account and thereby with a dishonest intention cheated the Bank and caused monetary loss to the Bank to the tune of Rs.2,43,18,000/-. Hence, the case.

3. This Court, by an order dated 16.08.2023, directed the petitioners to deposit a sum of Rs.3 crore to the loan account, within a period of four weeks from the date of receipt of a copy of this order, as per the undertaking affidavit filed by the petitioners. Further, the matter was directed to be listed on 18.09.2023 under the caption “for reporting compliance”. Accordingly, when the matter is taken up for hearing today, the learned counsel for the petitioners appeared before this Court through video conferencing and stated that the conditional order passed by this Court on 16.08.2023 has not been complied with by the petitioners.

4. Considering the facts and circumstances and also taking into consideration the fact that the conditional order passed by this Court



Crl.O.P.No.7837 of 2023

dated 16.08.2023 has not been complied with by the petitioners, I am not inclined to grant anticipatory bail to the petitioners. Accordingly, this criminal original petition is dismissed.

19.09.2023

ata



WEB COPY



Crl.O.P.No.7837 of 2023

RMT.TEEKAA RAMAN, J.

ata

Crl.O.P.No.7837 of 2023

19.09.2023