



WEB COPY



Crl.M.P No.8012 of 2021

Crl.M.P.No.8012 of 2021
in Crl.O.P.No.14159 of 2020

T.V.THAMILSELVI, J.

This Criminal Miscellaneous Petition has been filed seeking to cancel the anticipatory bail granted to the 2nd & 3rd respondents/Accused No.1 and 2 in Crl.O.P.No.14159 of 2020 dated 29.09.2020 by this Court, in Crime No.15 of 2020 on the file of the first respondent Police.

2. The case of the prosecution as per the defacto complainant is that he was running a fabricate/apparel manufacturing at Tiruvallur. While so, the petitioner/induced the defacto complainant under the guise of running textile business and purchased fabricates from the garments of the defacto complainant for an amount of Rs.70,78,000/- and later without knowledge of the defacto complainant sold the textiles purchased from the defacto complainant and misappropriated the amount and thereby cheated the defacto complainant.

3.The learned counsel for the petitioner/defacto complainant submitted that this Court vide order dated 29.09.2020 in Crl.O.P.No.14159 of 2020 granted anticipatory bail to the 2nd and 3rd respondents herein taking into



Crl.M.P No.8012 of 2021

consideration the facts and circumstances of the case and also considering the undertaking affidavit filed by the accused agreeing to pay an amount of Rs.5,00,000/- on or before 01.11.2020, another sum of Rs.5,00,000/- on or before 01.12.2020 and balance amount of Rs.5,00,000/- on or before 02.01.2021 to the petitioner/defacto complainant. He further submitted that the 2nd and 3rd respondents so far have settled only Rs.11,50,000/- (Rupees Eleven Lakhs and Fifty Thousand Only) out of Rs.15 lakhs and they have not paid the balance amount. Hence he prays for cancellation of anticipatory bail to the 2nd & 3rd respondents herein.

4. Heard the learned Government Advocate (Crl.Side) appearing for the first respondent.

5. The learned counsel for the 2nd and 3rd respondents herein submitted that they would settle the balance amount of Rs.3,50,000/- (Rupees Three lakhs and Fifty Thousand Only) within a short time.

6. Considering the facts and circumstances of the case and also the fact that after obtaining anticipatory bail, the second and third respondents



Crl.M.P No.8012 of 2021

have not complied with the order dated 29.09.2020 imposed by this Court, if the anticipatory bail is continued, there is every possibility for tampering the witnesses and may abscond either during investigation or trial

7. In view of the above, the anticipatory bail granted by this Court by order dated 29.09.2020 in Crl.O.P.No.14159 of 2020 is hereby cancelled. Accordingly, this Criminal Miscellaneous Petition is allowed.

06.02.2023

msrm



WEB COPY



Crl.M.P No.8012 of 2021

T.V.THAMILSELVI, J.

msrm

Crl.M.P.No.8012 of 2021
in Crl.O.P.No.14159 of 2020

06.02.2023