



Crl.O.P.No.13703 of 2023

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RMT.TEEKAA RAMAN, J.

The petitioner, who apprehends arrest at the hands of the respondent police for the offence punishable under Sections 420 & 34 of IPC, in Crime No. 112 of 2023 on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution as per the defacto complainant is that the petitioner along with other accused have approached the defacto complainant and informed that they are running a Company in the name of Heclulin Solutions Private Limited and made a promise that they would provide profits on the share made by the defacto complainant. Believing their words, the defacto complainant and other persons have invested a sum of Rs.73,00,000/- in the said business. Thereafter, the investors knowing that they were being deceived by the accused and demanded to return the said amount. On such demand, the accused had given six cheques and the same were returned for the reason “No



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sufficient funds”. Hence, the complaint.

3. The learned counsel for the petitioner would submit that the petitioner is an innocent person and he has been falsely implicated in this case. He would further submit that the only allegation against the petitioner is that he has introduced the accused to the defacto complainant. He would further submit that A1 was arrested and subsequently he was released on statutory bail. He would also submit that the petitioner is ready to abide by any stringent condition imposed by this Court. Hence, he prays for grant of anticipatory bail to the petitioner.

4. Per contra, the learned Government Advocate (Crl. Side) would submit that the petitioner along with other accused running a firm in the name of Heclulin Solutions Private Limited have induced various persons including the defacto complainant to invest in their business and received a sum of Rs.73,00,000/-. Thereafter, when the investors demanded the profit amount the accused had issued six cheques and the same were returned for the reason “Funds insufficient” thereby they have



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cheated the investors including the defacto complainant. He would further submit that the petitioner is having one previous case similar in nature. Hence, he vehemently opposed to grant anticipatory bail to the petitioner.

5. Considering the facts and circumstances of the case and taking note of the fact that the said amount is not yet recovered from the accused and considering the overt act of the petitioner, I am not inclined to grant anticipatory bail to the petitioner. Accordingly, this criminal original petition is dismissed.

25.08.2023

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RMT.TEEKAA RAMAN, J.

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