



Crl.O.P.No.17767 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 Section 406 of IPC in Crime No.593 of 2022 on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that the defacto complainant purchased a Tata Zest car bearing Regn.No.TN-79-E-2926 by availing loan facility from an Indian Overseas Bank at Thenmalai Branch and started driving it on rent. While so, it is alleged that on 25.08.2020 he decided to lease his car to the petitioner for monthly rent of Rs.15,000/- in front of his friends Rubesh and Ravikumar and the petitioner used to pay rent regularly. Thereafter, the petitioner has not paid the rent and the whereabouts of his car is not known. Hence, the complaint.

3. The learned counsel for the petitioner would submit that the petitioner is an innocent person and he has not committed any offence as alleged by the prosecution. He would further submit that in an earlier



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occasion, the petitioner was granted anticipatory bail by the learned Principal Sessions Judge, Coimbatore, in Crl.M.P.No.286 of 2023 on 23.01.2023 however, the petitioner could not comply with the conditions due to health issues. He would also submit that the petitioner is ready to abide by any condition imposed by this Court. Hence, he prays for grant of anticipatory bail to the petitioner.

4. The learned Government Advocate (Crl. Side) for the respondent would submit that the petitioner has taken the car belonging to the defacto complainant on lease for monthly rental basis and failed to repay the rent and refused to return the car and thereby cheated the defacto complainant. He would further submit that the vehicle has not been recovered from the accused. Hence, he opposed to grant anticipatory bail to the petitioner.

5. Considering the facts and circumstances and also taking note of the fact that the recovery of the vehicle is not yet made, this Court is not inclined to grant anticipatory bail to the petitioner. Accordingly, this



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criminal original petition is dismissed. However, the petitioner is at liberty to move the Principal District and Sessions Judge, Coimbatore, if he so be advised.

11.08.2023

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