



Crl.O.P.No.22235 of 2022

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T.V.THAMILSELVI,J.

The petitioner, who apprehends arrest at the hands of the respondent police for the alleged offence under Section 406 and 420 of IPC, in Crime No.180 of 2021, on the file of the respondent police, seeks bail.

2. The case of the prosecution is that the petitioner obtained loan to an extent of Rs.75 lakhs from the City Union Bank by hypothecating machinery. As per the terms of the loan, the hypothecated machinery has to keep in the same place but the machinery had shifted to Ragavendra Marriage Hall on 30.01.2021 without any information to the Bank. While so, on 20.02.2021, the defacto complainant was informed that the marriage hall was broke open and machineries were taken away by unknown persons. Hence the complaint.

3.The learned counsel appearing for the petitioner submitted that the petitioner has not committed any offence as alleged by the prosecution and he has been falsely implicated in this case. He further submits that the



Crl.O.P.No.22235 of 2022

defacto complainant had created forged signature of the petitioner and withdrew money from the petitioner's account by encashing cheques.

Therefore, the petitioner lodged a complaint with DCB, Namakkal and as per the complaint FIR was also registered. He further submits that irked by the petitioner's complaint the defacto complainant as a counter blast has lodged the present complaint. Hence he prays for grant of anticipatory bail to the petitioner.

4. The learned Additional Public Prosecutor submitted that the petitioner availed loan for Rs.75 lakhs for the purchase of the weaving machineries and to that effect hypothecated agreement was also produced on the side of the complainant and they also executed the promissory note for the said loan amount. He further submitted that investigation is still pending, hence, he vehemently opposed for grant of anticipatory bail to the petitioner.

5. Considering the facts and circumstances of the case, on seeing the conduct of the petitioner and gravity of offence, it needs detailed



CrI.O.P.No.22235 of 2022

investigation and there is no change in circumstances, this Court is not inclined to grant anticipatory bail to the petitioner.

6. Accordingly, this Criminal Original Petition is dismissed.

03.01.2023

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Crl.O.P.No.22235 of 2022

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Crl.O.P.No. 22235 of 2022

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