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Crl.O.P.No.19210 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 406 & 420 of IPC, in Crime No. 153 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 she is running an Enterprise in the name of M/s.Nanayam Exports for selling spices at wholesale prices and she had also registered her business in a Website. While so, the petitioner along with other accused have purchased 4 tonnes of Pepper from the defacto complainant's firm for a sum of Rs.23,10,000/- and after receipt of the goods the accused have not paid the amount for the said purchase and cheated the defacto complainant. Hence, the case.

3. The learned counsel for the petitioner would submit that the



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petitioner is an innocent person and he has been falsely implicated in this case. He would further submit that the petitioner is arrayed as A3 and he is only an employee under the A1 and A2 and he has nothing to do with the alleged transaction. Hence, he prays for grant of anticipatory bail to the petitioner.

4. Per contra, the learned Government Advocate (Crl. Side) for the respondent would submit that there are totally five accused in this case in which, the petitioner is arrayed as A3. He would further submit that based upon the order placed by the A1 to A5, 4 tonnes of Pepper have been supplied to the accused to the tune of Rs.23,10,000/- and after taking the delivery, they have failed to pay the amount and thereby cheated the defacto complainant. He would further submit that the case is under investigation. Hence, he vehemently opposed to grant anticipatory bail to the petitioner.

5. Heard the learned counsel for the petitioner and the learned



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Government Advocate for the respondent and perused the materials available on record.

6. Considering the facts and circumstances and also taking into consideration the fact that even as per the averment made in the FIR, this petitioner is also a part of the conspiracy, which is said to have made by the other accused in taking the delivery of the goods along with A1 and hence, I am not inclined to grant anticipatory bail to the petitioner.

7. Accordingly, this criminal original petition is dismissed.

29.08.2023

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RMT.TEEKAA RAMAN, J.
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