



CRL.O.P.No.24638 of 2022

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WEB C **T.V.THAMILSELVI, J.**

The petitioner, who apprehend arrest at the hands of the respondent police for the alleged offence under Sections 420, 294(b) & 506(i) of I.P.C in Cr.No.10 of 2022, on the file of the respondent police, seeks anticipatory bail.

2. It is the case of the petitioner that he is running a Company in the name & Style of M/s.Ganesh Engineering Works. In order to purchase Rover machines from the petitioner Company, the De-facto complaint had approached the petitioner and paid a sum of Rs.35,00,000/- to the petitioner. Having received the said amount, the petitioner supplied defective machines and he refused to return the amount to the De-facto Complainant. Hence, the complaint.

3. Learned Government Advocate (Criminal Side) appearing for the respondent submits that earlier, the petition filed for grant of anticipatory bail was dismissed as withdrawn, on the basis of the undertaking given by the



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petitioner that he would repay the amount to the

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De-facto Complainant. However, the petitioner had not repaid the said amount. Hence, he opposed for grant of anticipatory bail.

4. Learned counsel appearing for the intervenor also made a submission on the same line as that of the learned Government Advocate.

5. Considering the facts and circumstances of the case and in view of the fact that the earlier petition for anticipatory bail was dismissed as withdrawn on the undertaking given by the petitioner for repayment of the amount received, however, the said undertaking was not fulfilled by the petitioner. Hence, this Court is not inclined to grant anticipatory bail to the petitioner.

6. Accordingly, this Criminal Original Petition is dismissed.

12.01.2023

Speaking/Non Speaking order
Index : Yes/No



Internet: Yes/No
nhs

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