



WEB COPY



CRL.O.P.No.29333 of 2022

CRL.O.P.No.29333 of 2022
and CrI.M.P.No.18384 of 2022

T.V.THAMILSELVI,J.

The petitioners, who apprehend arrest for the alleged offence under Sections 420, 506(1) r/w. 34 of I.P.C., in Cr.No.29 of 2018, seek anticipatory bail.

2.The case of the prosecution is that the accused persons were running a firm involved in processing and export of prawns. It is alleged that the defacto complainant has supplied prawns to the the firm of a accused persons as credit basis. There was money due and payable on the side of the accused persons to the tune of Rs.8.16 Crores. When th e said amount was demanded the accused persons have said to refused to pay the aforesaid amount and also threatened the defacto complainant. Hence, the Law Enforcing Agency registered a case against the petitioner.

3.The learned counsel for the petitioners submitted that the petitioners have not committed any offence as alleged by the prosecution and he has been falsely implicated in this case. Hence he prays for grant of



anticipatory bail.

WEB COPY

4.The learned Intervenor appearing for the defacto complainant raised strong objections stating that the petitioner had misappropriated a sum of Rs.8,16,00,000/- from the defacto complainant. Hence, he opposed to grant anticipatory bail to the petitioners.

5.On seeing the facts, during the pendency of the anticipatory bail petition, there was a Memorandum of Understanding between the parties in which the petitioners agreed to repay a sum of Rs.5 Crores on the day of Memorandum of Understanding (MOU), the petitioner paid 25,00,000/- on that day and promised to repay the remaining Rs.4.75 Crores by monthly installment of Rs.25,00,000/-(Rupees Twenty Five Lakhs only). Thereafter, by mentioning the above MOU, the petitioners are obtained anticipatory bail in this Court in Crl.O.P.No.30472 of 2018. Later, the petitioners failed to comply with the order passed by this Court in Crl.O.P.No.30472 of 2018, the defacto complainant filed a petition in Crl.O.P.No.17801 of 2020 for cancellation of anticipatory bail, this Court by an order dated 02.09.2022 cancelled the Anticipatory bail granted to the petitioners. Therefore, from the



CRL.O.P.No.29333 of 2022

contact of the parties it reveals that they are abusing the process of Law by giving the false representation.

5. Considering the above facts, this Court is not inclined to grant anticipatory bail to the petitioners

6. Accordingly, this Criminal Original Petition is dismissed.

02.02.2023

dk

T.V.THAMILSELVI, J.

dk



WEB COPY



CRL.O.P.No.29333 of 2022

CRL.O.P.No.29333 of 2022
and Crl.M.P.No.18384 of 2022

02.02.2023