



Crl.O.P.No.21783 of 2023

Orders Reserved on
22.09.2023

Orders Pronounced on
26.09.2023

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RMT. TEEKAA RAMAN.,J.

The petitioner who is arrayed as A.2 apprehends arrest at the hands of the respondent police for the alleged offences punishable under Sections 406 and 420 IPC, registered in Crime No.6 of 2023, seeks anticipatory bail.

2. As per the complaint, the defacto complainant and his friend who are industrialist approached Umesh Kamath and Venkatasubramani Rao at the residence of one Balasubramani. They have promised that they will help to settle their GST problems, bank and other legal problems by receiving Rs.1.5 Crore cash from them with assurance that they will return the money in two days through account transaction. Further, the said Umesh had promised that he will raise invoice for purchase of live pipes and tanks from defacto complainant and handed over a cheque for Rs.1.6 crore drawn on his company namely Dravidian Aviation Company in favour of the defacto complainant's company Modern Engineers Plastics. Inspite of follow-ups with the said Umesh Kamath, he informed that he had given Rs.1.5 crore to



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one Radhakrishnan who will invest the same in his company and return the money. The said Umesh Kamath also demanded more cash with assurance that he will return both payments on or before 30.12.2022. On 22.12.2022, the defacto complainant's father went to Balasubramani's house and showed the cash to Venkatasubramani Rao. He took video and photos and sent it to somebody. On 30.12.2022, they called the defacto complainant to come at A2B Ashok Nagar for discussing about GST problems and to return Rs.1.5 crores but they did not return the money.

3. The learned counsel for the petitioner submitted that the petitioner is innocent and he has been falsely implicated in this case.

4. The learned Government Advocate (crl.side) would contend that notice has been issued to the petitioner and he has to pay the amount by two days but he has not returned the amount. On 20.04.2023, the respondent police issued notice under Section 41-A Cr.P.C and given a statement and further stated that the police have seized iPhone 6S. For investigation purpose, A.3 & A.4 are arrested and based upon the confession statement of A.4, A2 was implicated and during the investigation, it came to light that on a



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similar nature of offence, he has cheated Rs.1.5 crores from a person in Kerala and the same is under investigation.

5. Heard the learned counsel for the petitioner as well as the Government Advocate (crl.side) and perused the records.

6. Considering the nature and gravity of the offence, bad antecedents of the petitioner and he is having similar nature of offence to his credit and the fact that the investigation is in the preliminary stage, I am not inclined to grant anticipatory bail to the petitioner for the present, with a liberty to file fresh application after passage of time or change in circumstances.

7. Accordingly, this Criminal Original Petition is dismissed.

26.09.2023

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