



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 23.01.2023

CORAM

THE HON'BLE MR.JUSTICE A.D.JAGADISH CHANDIRA

CRL.O.P (MD) No.20656 of 2022

WEB COPY

Bharath

...Petitioner/Accused No.1

-vs-

State represented by
The Inspector of Police,
District Crime Branch,
Theni
Crime No.31 of 2022.

...Respondent/Complainant

Srinivas Kumar

... Petitioner/Intervener
in Crl MP(MD) No 14527 of 2022

PRAYER: Criminal Original Petition filed under Section 438 of Cr.P.C, praying for anticipatory bail to the petitioner in Crime No.31 of 2022.

For Petitioner : Mr.J.Yogeswaran, Advocate.

For Respondent : Mr.P.Kottai Chamy,
Government Advocate (Crl.side)

For Intervenor : Mrs.S.Prabha, Advocate.

ORDER

The petitioner, who apprehends arrest at the hands of the respondent Police for the offences punishable under Sections 417, 468, 471, 420, 120(b) and 506(i) IPC in Crime No.31 of 2022 on the file of the respondent Police, seeks anticipatory bail.

2.The case of the prosecution, as per the de-facto complainant is that the fourth accused introduced the petitioner/A1 to the defacto complainant saying that they would get job for his son and received a sum of Rs.13 lakhs by bank transaction and thereby handed over fabricated appointment order and cheated him. When the defacto complainant had gone to the house of the other accused and requested for money, they have abused the defacto complainant and criminally intimidated him. Hence, the complaint.

3. The learned counsel for the petitioner would submit that the petitioner is an innocent person and he has been falsely implicated in the case. He would submit that there is money dispute between



the petitioner and the defacto complainant, which was exaggerated in a criminal complainant and the family members of the petitioner have also been wrongly implicated in this case. He would seek for grant of anticipatory bail to the petitioner.

4. The learned Government Advocate (Crl.side) would submit that the petitioner claimed himself to be the father of the retired railway employee and he had introduced the defacto complainant to his father and the defacto complainant has given Rs.13 lakhs believing his words and the defacto complainant had transferred the amount through bank transaction in favour of the petitioner/A1 and the petitioner had cheated the defacto complainant by giving a fabricated appointment order and cheated him. He would oppose for grant of anticipatory bail.

5. Mrs.S.Prabha, learned counsel for the intervenor/defacto complainant would submit that the defacto complainant has got proof to show that the amount of Rs.13 lakhs was transferred in favour of the petitioner/A1 and she opposes for grant of anticipatory bail to the petitioner.

6. Heard. Perused the materials available on record. Taking into consideration the facts and circumstances of the case, this Court is not inclined to grant anticipatory bail to the petitioner. Hence, this petition is dismissed.

sd/-

23/01/2023

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/02/2023

Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

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TO

1 THE INSPECTOR OF POLICE
DISTRICT CRIME BRANCH,
THENI.

2 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

ORDER

IN

CRL OP(MD) No.20656 of 2022

Date :23/01/2023