



WEB COPY



CRL OP. 30180 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 11.12.2024

CORAM

THE HONOURABLE MR. JUSTICE **A.D.JAGADISH CHANDIRA**

CRL OP. 30180 of 2024

M S RAMESH
S/O SRIRAMULU NO.2 71 L BLOCK 6TH STREET
12TH MAIN ROAD ANNA NAGAR
CHENNAI 600 040

PETITIONER

Vs

THE STATE REP BY
THE INSPECTOR OF POLICE, K-11CMBT POLICE
STATION,KOYAMBEDU,
CHENNAI.(CRIME NO.747/2024)

RESPONDENT

For Petitioner:

MR. GOPINATH, SENIOR COUNSEL
FOR MR. ELAVARASAN M R

For Defacto Complainant:

MR. R. RAJARATHINAM, SENIOR COUNSEL
FOR MR. M. VINOTH

For Respondent:

MR. S. SANTHOSH, ADVOCATE (CRL. SIDE)



CRL OP. 30180 of 2024

ORDER

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2. The case of the prosecution, as per the defacto complainant, the President, Thiruvalluvar Transport Corporation Employees Co-operative Credit Society Limited, is that the accused by fabrication of a document, namely, Fixed Deposit Receipt No.5188, attempted to cheat the society to the tune of Rs.25,00,000/-. Hence the case.

3. Mr. Gopinath, learned Senior Counsel appearing for the petitioner would submit that the petitioner is innocent and that he had trusted his friend, one Mr. D. Soundar Raj, an Advocate, who had filed the Writ Petition using his name. He would further submit that, believing the said Advocate, the petitioner has signed all the documents and other than that the petitioner is not aware of anything. He further submits that consequent to the Court directing the respondent to register a case, the petitioner has also



CRL OP. 30180 of 2024

given a complaint against the said Advocate for cheating him. He would submit that the petitioner is ready to abide by any stringent condition that may be imposed by this Court and to cooperate with the respondent in the investigation.

4.The learned Government Advocate would submit that the petitioner had fabricated the fixed deposit receipt as if the defacto complainant society has to refund him Rs.25,00,000/- and later, based on the fabricated Fixed Deposit Receipt, filed a writ of Mandamus before this court seeking for a direction to direct the defacto complainant to pay the amount. Later, during the course of enquiry in the writ petition, it came to light that the petitioner had produced a fake Fixed Deposit Receipt before this Court to defraud this Court also. The petitioner not only attempted to defraud the defacto complainant but also attempted to defraud this Court and a case came to be registered based on the directions issued by this Hon'ble Court.

5. Mr. R. Rajarathinam, learned Senior Counsel appearing for the defacto complainant society would submit that the petitioner, who claims to



CRL OP. 30180 of 2024

be a builder, along with an Advocate attempted to defraud the defacto complainant by filing the writ petition seeking for refund based on a fabricated fixed deposit receipt. He would, therefore, object to grant of anticipatory bail to the petitioner.

6. Taking into consideration the fact that the petitioner has not only played fraud on the defacto complainant but also played fraud upon this Court, this Court is not inclined to grant anticipatory bail to the petitioner. Accordingly, the Criminal Original Petition stands dismissed.

11.12.2024

bga



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CRL OP. 30180 of 2024

A.D.JAGADISH CHANDIRA, J.

bga

To

THE INSPECTOR OF POLICE, K-11CMBT POLICE
STATION,KOYAMBEDU, CHENNAI.(CRIME
NO.747/2024)

CRL OP. 30180 of 2024

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