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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 11.06.2024

PRESENT

The Hon`ble Mr.Justice B.PUGALENDHI

CRL OP(MD).Nos.6179 and 7950 of 2024
and
Crl.M.P.(MD)No.5603 and 5546 of 2024

Crl.O.P.(MD)No.6179 of 2024

C.Chandramohan

... Petitioner

Versus

The Inspector of Police,
District Crime Branch,
Theni District,
Theni.

... Respondent

For Petitioner : Mr.C.Ganesh Kumar, Advocate
For Respondent : Mr.M.Sakthi Kumar
Government Advocate (Crl. Side)
For Intervenor : Mr.A.Mohan, Advocate

PETITION FOR ANTICIPATORY BAIL Under Sec.438 of Cr.P.C.

PRAYER :-

For Anticipatory Bail in Crime No.11 of 2024 on the file of the Respondent Police.



Crl.O.P.(MD)No.7950 of 2024

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S.Balamurugan

... Petitioner/ Accused No.4

Versus

The Inspector of Police,
District Crime Branch,
Theni District.
(Crime No.11 of 2024)

... Respondent/ Complainant

For Petitioner : Mr.L.Siva, Advocate
For Respondent : Mr.M.Sakthi Kumar
Government Advocate (Crl. Side)
For Intervenor : Mr.A.Mohan, Advocate

PETITION FOR ANTICIPATORY BAIL Under Sec.438 of Cr.P.C.

PRAYER :-

For Anticipatory Bail in Crime No.11 of 2024 on the file of the Respondent Police.

COMMON ORDER : The Court made the following order :-

The petitioners, apprehending arrest at the hands of the respondent Police, in connection with a case in Crime No.11 of 2024, for the offence under Sections 417, 420, 120(B), 294(b) and 506(i) IPC, have filed these petitions seeking anticipatory bail.

2. The petitioner in Crl.O.P.(MD)No.6179 of 2024 is one of the partners of Sree Kaumariamman Tractor Dealers, in which, the petitioner in Crl.O.P.(MD)No.7950 of 2024 is working as a Manager. The case of the prosecution is that A7 to A9 purchased three tractors on payment of Rs.2,10,000/- each as advance payment from the said

Sree Kaumariamman Tractor Dealers. Thereafter, upon consideration of the loan



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application forwarded by dealership company, a sum of Rs.17,79,942/- was sanctioned towards loan and deposited by the Defacto complainant's Finance Company to the account of the dealership company. However, the original documents of the said vehicles were not handed over to the defacto complainant's company. Further, the accused persons sold the said vehicles to some other persons and failed to repay the loan amount. Hence, the case.

3. The learned counsel appearing for the petitioners submit that the petitioners are innocent persons and they have not committed any offence as alleged by the prosecution. However, this case has been foisted against the petitioners. Hence, they pray for grant of anticipatory bail to the petitioners.

4. When the petition in Crl.O.P.(MD)No.6179 of 2024 came up for hearing before this Court on 23.04.2024, this Court, by considering the nature of offence and also considering the facts and circumstances of the case, granted interim anticipatory bail to the petitioner enabling him to appear before the respondent Police for enquiry. The respondent Police was also directed to file a report before this Court, after conducting the enquiry.

5. Pursuant to the same, the respondent Police has filed a report stating that the tractors could not be identified and recovered.

6. Considering the nature of offence and also considering the fact that the



subject tractors are not yet recovered, this Court is not inclined to grant anticipatory bail to the petitioners.

7. Accordingly, the Criminal Original Petitions are dismissed. Consequently, connected miscellaneous petitions are closed.

sd/-
11/06/2024

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/06/2024
Sub-Assistant Registrar (C.S. I / II / III / IV)
Madurai Bench of Madras High Court,
Madurai - 625 023.

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TO

1 THE INSPECTOR OF POLICE, DISTRICT CRIME BRANCH, THENI DISTRICT,
THENI.

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

ORDER IN
CRL OP(MD).Nos.6179 and 7950 of 2024
and
Crl.M.P.(MD)No.5603 and 5546 of 2024
Date :11/06/2024

RS/VR/SAR-(25.06.2024) 4P 3C
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