



CRL OP(MD).No.9374 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 10.07.2024

PRESENT

The Hon`ble Mr.Justice B.PUGALENDHI

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Glittus Gonsalvas

... Petitioner/Sole Accused

Versus

State of Tamil Nadu,
Rep. by the Sub Inspector of Police,
Aaralvoimozhy Police Station,
Through the Public Prosecutor,
Nagercoil,
Kanyakumari District.
Cr.No.191 of 2023

... Respondent/Complainant

For Petitioner: Mr.M.R.Sreenivasan
Advocate

For Respondent : Mr.M.Sakthi Kumar
Government Advocate (Crl. Side)

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

PRAYER :- For Anticipatory Bail in Crime No.191 of 2023 on the file of the Respondent Police.

ORDER : The Court made the following order :-

<https://www.mhc.tn.gov.in/judis> The petitioner, apprehending arrest at the hands of the respondent Police, in



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connection with a case in Crime No.191 of 2023, for the offence under Sections 406, 420 and 506(i) IPC, has filed this petition seeking anticipatory bail.

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2. The case of the prosecution is that the petitioner, by creating a forged document, sold a property belonging to Kanyakumari Co-operative Industrial Estate, to the defacto complainant and cheated him to the tune of Rs.15,60,000/-.

3. This Court, by order dated 26.06.2024, granted interim anticipatory bail to the petitioner with a direction to appear before the respondent Police and co-operate for enquiry. This Court has also directed the respondent Police to file a report as to the role played by the petitioner.

4. Today, when the matter is taken up for consideration, the learned Government Advocate (Crl. Side) submits that the petitioner has not appeared before the respondent Police for enquiry as directed by this Court. He further submits that the petitioner has projected before this Court, as if he is prepared to co-operate for the enquiry and also obtained an order of interim anticipatory bail from this Court, however, he failed to appear before the respondent Police for enquiry and he is also enjoying the interim anticipatory bail till date.

5. The learned counsel appearing for the petitioner submits that the respondent Police has not called the petitioner for enquiry. Therefore, he has not appeared before the respondent Police for enquiry.



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6. This Court, while granting interim anticipatory bail on 26.06.2024, has specifically directed the petitioner to appear before the respondent Police for enquiry.

But, the petitioner has failed to do so.

7. Since the petitioner has not complied with the earlier order and not co-operated with the respondent Police for enquiry, this Court is not inclined to grant anticipatory bail to the petitioner.

8. Accordingly, this Criminal Original Petition is dismissed.

sd/-
10/07/2024

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/07/2024
Sub-Assistant Registrar
(C.S. I / II / III / IV)
Madurai Bench of Madras High Court,
Madurai - 625 023.

OGY
TO

1 THE SUB INSPECTOR OF POLICE,
AARALVOIMOZHY POLICE STATION,
NAGERCOIL,
KANYAKUMARI DISTRICT.

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

+1 CC to M/s.M.R.SREENIVASAN, Advocate (SR-7850[I] dated 12/07/2024)



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ORDER

IN

CRL OP(MD) No.9374 of 2024

Date :10/07/2024

SA/GS/SAR. /19.07.2024/4P/4C

Madurai Bench of Madras High Court is issuing certified copies in this format from 17/07/2023.