



CRL OP(MD). No.12268 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 12/08/2024

PRESENT

The Hon`ble Mr.Justice D.BHARATHA CHAKRAVARTHY

CRL OP(MD). No.12268 of 2024

1. Gokul,

2. P.Murugan,

... Petitioners/ Accused No.1 & 2

Vs

**The Inspector of Police,
Tevaram Police Station,
Theni District
Crime No. 104/2024.**

... Respondent/Complainant

For Petitioners : M/s. Kishore Kumar.V, Advocate

**For Respondent : Mr.R.M.Anbunithi,
Additional Public Prosecutor**

For Intervenor : Mr.R.Shankar Ganesh, Advocate

PETITION FOR ANTICIPATORY BAIL UNDER SECTION 482 OF BNSS

PRAYER :-

For Anticipatory Bail in Crime No. 104 of 2024 on the file of the respondent Police.



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ORDER : The Court made the following order :-

The petitioners, who apprehend arrest at the hands of the respondent Police for the alleged offence under Sections 406, 415, 420 and 506(i) IPC, in Crime No.104 of 2024, seek anticipatory bail.

2. The case of the prosecution is that the petitioners persuaded the defacto complainant as the petitioner has taken three petrol bunks for lease and insisted the defacto complainant to enter into the business as a partner. Believing the words, the defacto complainant paid Rs.18,45,000/- to the first petitioner and thereafter, the petitioners cheated him and also threatened him with dire consequences. Hence, the complaint.

3. Heard the learned counsel on either side and perused the material records of the case.

4. The allegation in this case is that the petitioners proposing that they will take a lease of petrol bunks and also by showing documents such as lease agreements etc, a sum of Rs.18,00,000/- have been obtained from the defacto complainant and thereafter without repaying the same, they cheated.

5. The learned counsel appearing on behalf of the petitioner would submit that the case is totally false and as a matter of fact, the petitioners were only agents of the defacto complainant, who is in the finance business. The amount was given by him



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only to be disbursed to the various persons, who will obtain and the petitioners / accused acted only as collection agents. The contention of the parties if true or not will turn out only the investigation and prayed for considering the case of anticipatory bail.

6. On the other hand, the learned Additional Public Prosecutor would produce an agreement and the learned counsel for the intervener would also produce an alleged lease agreement.

7. In view thereof, this is not a fit case for grant of anticipatory bail. Accordingly, this Petition is dismissed.

sd/-
12/08/2024

/ TRUE COPY /

/ 08 /2024
Sub-Assistant Registrar (C.S. I / II / III / IV)
Madurai Bench of Madras High Court,
Madurai - 625 023.

LS

TO

1 THE INSPECTOR OF POLICE
TEVARAM POLICE STATION, THENI DISTRICT

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

<https://www.mhc.tn.gov.in/judis>



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+1 CC to M/s.R.SHANKAR GANESH, Advocate (SR-9868[I] dated 13/08/2024)

ORDER
IN

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Date :12/08/2024

PSP/VR/SAR /23.08.2024/ 4P/ 4C

Madurai Bench of Madras High Court is issuing certified
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