



Crl.O.P.(MD)No.23435 of 2023

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)

Date : 10.01.2024

PRESENT

THE HON'BLE MR.JUSTICE G.ILANGO VAN
Crl.O.P.(MD)No.23435 of 2023

Mohanraj

... Petitioner/ Accused No.3

Vs

The State rep by,
The Inspector of Police,
Cumbum North Police Station,
Theni District.
(Crime No.266 of 2023)

... Respondent / Complainant

For Petitioner : Mr.T.Balachandran
Advocate.

For Respondent : Mr.R.Suresh Kumar
Government Advocate(Criminal side)

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

PRAYER :- For Anticipatory Bail in Crime No.266 of 2023 on the file of the Respondent police.

ORDER : The Court made the following order :-

The petitioner/ Accused herein, apprehending arrest at the hands of the respondent police for the offences punishable under Sections 406 and 420 of IPC in Crime No.266 of 2023, on the file of the respondent police, seeks anticipatory bail.



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2. The case of the prosecution is that the accused Nos. 1 and 2 were doing vegetable business and the defacto complainant and others have invested Rs.66,31,500/- through Bank transaction and through Phone pay to the second accused from 01.06.2020 till 13.05.2022 to join in the business as a partner. The petitioner and the other accused persons were paying the share to the defacto complainant and others and for the past 14 months, no share or profit has been paid to the defacto complainant and he could not even contact the accused persons. Hence the complaint.

3. The learned counsel for the petitioner would submit that the petitioner is an innocent person, he has been falsely implicated in this case and he has not committed any offences as alleged by the prosecution.

4. The learned Additional Public Prosecutor would submit that the petitioner is already in custody since 14.08.2023 for the offences under Sections 406, 420 and 506 (ii) of IPC in Crime No.565 of 2023.

5. When this case was taken up for hearing on earlier occasion, considering the facts and circumstances of this case and also considering that the petitioner is



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involved in previous cases, this Court dismissed the anticipatory bail petition filed by this petitioner. This is the second application filed by the petitioner.

6. Today, the learned counsel for the petitioner submitted that the co-accused was granted anticipatory bail. Eventhough the co-accused was granted anticipatory bail, this petitioner is not entitled for getting anticipatory bail since he has bad antecedents, which is sufficient to reject this petition. This petition has been filed with no change in circumstances.

7. Accordingly, this Criminal Original Petition is dismissed.

sd/-
10/01/2024

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/01/2024

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

pjl

TO

1.THE INSPECTOR OF POLICE,
CUMBUM NORTH POLICE STATION,
THENI DISTRICT.



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

ORDER
IN
CRL OP(MD) No.23435 of 2023
Date :10/01/2024

RK/DD (19/01/2024) 4P / 3C

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