



Crl.O.P.No.13496 of 2025

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 23.06.2025

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THE HONOURABLE MR. JUSTICE G.K.ILANTHIRAIYAN

Crl.O.P.No.13496 of 2025

1.Senthilkumar
2.Palanisamy
3.Arumugasamy

... Petitioners

Vs.

State rep. by
The Inspector of Police
CCB Police Station
Coimbatore District
Crime No.38 of 2023

... Respondent

PRAYER : Criminal Original Petition filed under Section 482 of Bharatiya Nagarik Suraksha Sanhita, 2023, to enlarge the petitioners on bail in the event of their arrest by the respondent police in Crime No.38 of 2023 pending investigation on the file of the respondent police.

For Petitioners	:	Mr.Prabakar Ramasamy
For Respondent	:	Mr.R.Vinothraja Government Advocate (Crl.Side)
For Intervenor	:	Mr.T.Balaji



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ORDER

The petitioners, who apprehend arrest for the alleged offences under Sections 120(B), 406, 420, 467, 468 and 471 IPC, in Crime No.38 of 2023, on the file of the respondent police, seek anticipatory bail.

2. The case of the prosecution is that the de-facto complainant is the Manager of SG Wind Form Private Limited. The petitioners/A1 to A3 are the directors of Kasthuri Mills Limited. A1 to A3 approached the de-facto complainant for selling Kasthuri Mills Limited to the de-facto complainant for a sale consideration of Rs.23,00,000/-. Further, the petitioners had executed a Power of Attorney in favour of Sivakumar for the purpose of sale and the power holder had executed the sale agreement in favour of the de-facto complainant. However, subsequently, they dragged without registering any property in favour of the de-facto complainant and subsequently, cancelled the power of attorney without the knowledge of the de-facto complainant. That apart, the petitioners had transferred the share amount deposited in the petitioners' company to another company and thereby, cheated the de-facto complainant. Hence the complaint.

3. The learned counsel appearing for the petitioners submits that the



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petitioners are innocent persons and they have not committed any such offence as alleged by the prosecution. The learned counsel further submits that A4 and A5 were already granted anticipatory bail. However, on instructions, the learned counsel further submits that the petitioners are ready and willing to abide by any conditions that may be imposed by this Court and hence, he prays to grant anticipatory bail to the petitioners.

4.The learned Government Advocate (Criminal Side) appearing for the respondent police submitted that there are totally five accused in this case, in which the petitioners are arrayed as A1 to A3 and he further reiterated the prosecution case. Hence, he opposed for grant of anticipatory bail to the petitioners.

5. Heard both sides and perused the materials available on record.

6. On perusal of the records would reveal that the shares were already transferred in favour of A4 and A5 by the petitioners and they were granted anticipatory bail. As far as these petitioners are concerned, they had only received the entire amount and thereafter, cheated the de-facto complainant. Therefore, the custodial interrogation of the petitioners is very much required in



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7. In view of the above, this Court is not inclined to grant anticipatory bail to the petitioners.

8. Accordingly, this Criminal Original Petition is dismissed.

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To

1. The Inspector of Police
CCB Police Station
Coimbatore District

2. The Public Prosecutor,
High Court of Madras.



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G.K.ILANTHIRAIYAN, J.

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