



Crl.O.P.No.16724 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 27.01.2025

CORAM

THE HONOURABLE MR JUSTICE A.D.JAGADISH CHANDIRA

CRL OP NO. 16724 of 2024

V.R.Ramalingam

Petitioner(s)

Vs

State rep. By
The Inspector of Police,
Nolambur P.S., Chennai
(Cr.No.426 of 2022)

Respondent(s)

For Petitioner(s):

Balaji Sankara Moorthy

For Respondent(s):

S.Santhosh

Government Advocate (criminal Side),
madras High Court.



WEB COPY



Cr.L.O.P.No.16724 of 2024

ORDER

Petition seeking bail in connection with Cr.No.426 of 2022, registered for the offences punishable under Sections 294(B), 448, 420 and 506(2) IPC, is on board for consideration.

2. Pleading innocence on the part of the petitioner, false implication in the case, learned counsel for the petitioner seeks indulgence of this Court. He would submit that the petitioner is ready to abide by any stringent condition that may be imposed by this court.

3. The case of the prosecution, as put forth by the learned Government Advocate (Criminal Side) appearing for the respondent police, opposing for grant of bail, is that the defacto complainant is the owner of the house in Plot No.468 at Mugappair Eri Thittam, 2nd Street and it has five portions. The accused who was running Arinaa Service Apartments approached him saying that, he would take the houses for lease. Believing the same, defacto complainant had handed over the possession of houses to him. Whereas, the accused without the authority of the petitioner had given



Crl.O.P.No.16724 of 2024

those plots on usufructuary mortgage to third parties and thereby cheated the defacto complainant.

4. The learned counsel for the Intervenor submitted that earlier, the petitioner was granted anticipatory bail in Crl.O.P.No.7699 of 2023 on 13.04.2023. This Court, while granting anticipatory bail, imposed certain conditions based on the affidavit filed by the petitioner to settle the dispute. However, the petitioner did not comply with the undertaking given. Therefore, the defacto complainant filed an application before a learned Single Judge of this Court for cancellation of anticipatory bail. The learned Judge cancelled the anticipatory bail granted to the petitioner in Crl.M.P.No.1322 of 2024 dated 13.06.2024. In such circumstances, the petitioner can only challenge the order of cancellation of anticipatory bail and the present petition cannot be maintainable, he submitted.

5. Perused the materials available on record and the submissions made by the learned counsel on either side.



WEB COPY



Crl.O.P.No.16724 of 2024

A.D.JAGADISH CHANDIRA, J.

Anu

6. Taking into consideration the facts and the submissions and that the present petition is not maintainable, this Court is not inclined to grant anticipatory bail to the petitioner.

7. Accordingly, this Criminal Original Petition stands dismissed.

27.01.2025

Anu

To

1.The Inspector of Police,
Nolambur P.S., Chennai

2.The Public Prosecutor
Madras High Court

Crl.O.P.No.16724 of 2024