



WEB COPY



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 11/04/2023

PRESENT

The Hon`ble Mr.Justice **G.K.ILANTHIRAIYAN**

CRL OP(MD) . No.6598 of 2023

1. Shanthi,

2. Karthikeyan

... Petitioners/A1 & A2

Vs

The State represented by
The Inspector of Police,
Cantonment Police Station,
Trichy City
(Crime No.1908 of 2022).

... Respondent/Complainant

For Petitioner : Mr. Rajeshkannan.S,
Advocate.

For Respondent : Mr.R.M.ANBUNITHI,
Additional Public Prosecutor(Crl.Side)

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

PRAYER :-

For Anticipatory Bail in Crime No.1908 of 2022 on the file of the respondent Police.

ORDER : The Court made the following order :-

The petitioners/A1 and A2, who apprehend arrest at the hands of the respondent police for the offences punishable under Sections 417, 420 and 506(i) of I.P.C., in Crime No.1908 of 2022 on the file of the respondent police, seek anticipatory bail.

2.The case of the prosecution is that the first petitioner received a sum of Rs.1,10,000/- and 264.200 grams of gold jewels from the de-facto complainant for purchasing a house and thereafter, cheated the de-facto complainant. Hence, the case.

3.Heard. Perused the materials available on record including the First Information Report.



4. The petitioners have also moved this Court in an earlier occasion and this Court dismissed the application filed by the petitioners by referring that in order to purchase some property, the accused persons had approached the de-facto complainant, since the de-facto complainant acquainted with the first petitioner herein by her son was studying in her school. Therefore, the de-facto complainant had lent a sum of Rs.1,10,000/- and also 264.200 grams of gold jewels to purchase the property. On the date of borrowal of the amount, the first petitioner also executed loan deed in favour of the de-facto complainant, in which, three persons also witnessed the said document. Thereafter, the petitioners, without pledging the jewels, had straightaway sold out the jewels and obtained money. Thereafter, they refused to return the jewels and also the loan amount borrowed by him. In fact, the petitioners also filed a suit for mandatory injunction directing the de-facto complainant to return the loan deed executed by him and also issuance of promissory note signed by the first petitioner herein in favour of the de-facto complainant on the ground that the said deed was executed under coercion. Therefore, the petitioners committed very serious offence and hence, the custodial interrogation of the petitioners is very much required in this case.

5. Now, there is no change in circumstances. Considering the above facts and circumstances of the case and also the fact that the allegation against the petitioners is very serious and the custodial interrogation of petitioner is very much required in this case, this court is not inclined to grant anticipatory bail to the petitioners.

6. Accordingly, this Criminal Original Petition is dismissed.

sd/-

11/04/2023

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/04/2023

Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

TO

1 THE INSPECTOR OF POLICE
CANTONMENT POLICE STATION
TRICHY CITY,
TRICHY.

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

ORDER

IN

CRL OP(MD) No.6598 of 2023

Date :11/04/2023