

Crl.O.P.No.13038 of 2015**R.SUBBIAH, J.**

Apprehending arrest at the hands of the respondent-police, in respect of the alleged commission of offences punishable under Sections 406, 420, 294(b), 506(i) r/w 120(B) IPC in Crime No.490 of 2014, the petitioner has approached this Court seeking the relief of anticipatory bail under Section 438 of the Code of Criminal Procedure.

2.The petitioner herein has been arrayed as 1st accused in this case. The case of the prosecution, in brief, is as follows__

The accused Nos.1 to 5 are the Directors of the company by name M/s.MMS Shoppy India Pvt. Ltd., and they are dealing and selling the plots. While so, during October-2013, the accused persons made an advertisement through news-papers, radio and trade centre, in which they stated that they have some vacant individual plots at very cheep price at Kamala Devi Nagar, Gerugambakkam near Chennai Airport and they made Channel Partner agreement with the owners of the properties viz., Accused 7 to 10) to market the above said property and also introduced the Power Agents of the property viz., the accused 11 & 12. When the defacto-complainant approached the accused persons, they took the defacto-

complainant to visit the property and they induced the defacto-complainant to buy a plot. Believing the words of the accused persons, the defacto-complainant made a payment of Rs.6,40,000/- on various dates through the bank to the accused persons. But, after receipt of the said payment, the accused persons neither registered the plot nor returned the amount to the defacto-complainant. When the defacto-complainant approached the accused persons, they threatened the defacto-complainant with dire consequences. Hence, the complaint was lodged by the defacto-complainant against the accused persons.

3.The learned counsel for the petitioner submitted that originally the state of affairs and administration of the company were managed by the petitioner herein and other Directors of the company; but, subsequently, the petitioner's name was removed from the directorship of the company; only her husband Srinivasan and another person by name Madhan Kumar are alone running the company. The learned counsel for the petitioner would further submit that the petitioner is an house-wife and she has been falsely implicated in this case. Thus, the learned counsel for the petitioner sought for the relief of anticipatory bail.

4.The learned counsel for the intervener opposed the grant of

anticipatory bail to the petitioner stating that the petitioner is the director of the company and she is also involved in the alleged offence.

5.The learned Government Advocate (CrI.Side) has also opposed the grant of anticipatory bail to the petitioner stating that the petitioner herein and other accused persons colluded with each and collected money to the tune of Rs.2 crores and odd from several poor persons. Further, with a fond hope that they would get a plot in a cheap rate, the victims have given money to the accused persons. But, subsequently, the petitioner herein along with other accused swindled the money. Further, the Government Advocate (CrI.Side) submitted that the investigation is at initial stage and if anticipatory bail is granted to the petitioner herein, it will hamper the investigation. Thus, the learned Government Advocate (CrI.Side) sought for dismissal of the present petition.

6. I have carefully heard the submissions made on either side and perused the materials available on record.

7.Considering the facts and circumstances of the case and taking note of the gravity of the offence, I am of the opinion that this is not a fit case to grant anticipatory bail. Further, as contended by the learned Government

Advocate, if anticipatory bail is granted to the petitioner, it will hamper the investigation which is at initial stage. Hence, I am not inclined to grant anticipatory bail to the petitioner.

Accordingly, the Criminal Original Petition is dismissed.

24.06.2015

SSV

R.SUBBIAH, J.

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Pre-delivery order
in
Crl.O.P.No.13038 of 2015

24.06.2015