



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

Friday, the Twelfth day of August Two Thousand Sixteen

PRESENT

WEB COPY

The Hon`ble Ms.Justice V.M.VELUMANI

CRL OP(MD) No.14573 of 2016

S.UMA MAHESWARI

... PETITIONER/SOLE ACCUSED

Vs

STATE REP BY THE INSPECTOR OF POLICE

TOWN POLICE STATION, PALANI, DINDIGUL DISTRICT.

CR. NO.546/2016

... RESPONDENT/COMPLAINANT

For Petitioner : M/S.S.AYYANAR PREM KUMAR Advocate

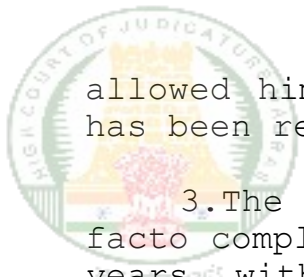
For Respondent : MR.P.KANNITHEVAN Govt. Advocate (Crl. Side)

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

ORDER : The Court Made the following order :-

The petitioner, who is arrayed as the sole accused, apprehends arrest at the hands of the respondent police for the alleged offences punishable under Sections 420 and 506(i) IPC in Crime No.546 of 2016 on the file of the respondent police and hence, seeks anticipatory bail.

2.The case of the prosecution is that due to ill-health of the wife of the de facto complainant, he engaged the petitioner to look after his daughter and also manage the affairs of the house. Believing the words of the petitioner, the de facto complainant gave loan to her upto Rs.35 lakhs on various dates. Further, when the de facto complainant decided to purchase two plots and gave a sum of Rs.3 lakhs to the petitioner, she informed the de facto complainant that she registered sale deed in her name. Thereafter, when the de facto complainant's elder brother pressurized him to sell some of the properties of the de facto complainant for lower rate, at that time, in order to escape from selling the properties for low rate to the de facto complainant's elder brother, the petitioner advised the de facto complainant, as if, he borrowed Rs.7 lakhs and Rs.2 lakhs from the petitioner by pledging the documents. Accordingly, the de facto complainant executed a sale agreement in favour of the petitioner. Further, the petitioner has taken away 18 sovereigns of gold jewels of the de facto complainant's daughter. Due to his ill health, when the de facto complainant decided to settle the property on his daughters and demanded the petitioner, the petitioner has driven away the de facto complainant from the house and not even



allowed him to take his personal belongings. On complaint a case has been registered.

3.The case of the petitioner is that the petitioner and the de facto complainant were living together in the same house for past 10 years, without any dispute and on 01.04.2016 due to some dispute a false complaint was given against the petitioner. The petitioner looked after the daughters of the de facto complainant with love and affection and managed the affairs of the family of the de facto complainant. Due to misunderstanding, with the help of the police person, he came to the house of the petitioner and took all the articles and gave a letter before the office of the Superintendent of Police with ulterior motive. The petitioner has already given a complainat against the de facto complainant and as a counterblast, the de facto complainant has given the present complaint. The petitioner is hospitalised in a private hospital in Coimbatore for Spinal Cord disease and now she is bedridden.

4.The learned Government Advocate submitted that serious allegations are made against the petitioner and investigation is pending. The earlier petition for anticipatory bail filed by the petitioner in Crl.O.P(MD)No.12387 of 2016 was dismissed on 21.07.2016 and there is no change of circumstance.

5.Considering the rival submissions and also considering the various allegations leveled against the petitioner and there is no change of circumstance, custodial interrogation of the petitioner is required and therefore this Court is not inclined to grant anticipatory bail to the petitioner and accordingly, the petition is dismissed.

sd/-

12/08/2016

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

TO

- 1 THE INSPECTOR OF POLICE
TOWN POLICE STATION, PALANI, DINDIGUL DISTRICT.
- 2 THE ADDL PUBLIC PROSECUTOR
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.
- +1. CC to M/S.S.AYYANAR PREM KUMAR Advocate SR.No.45132

ORDER

IN

CRL OP(MD) No.14573 of 2016

Date :12/08/2016