



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 05/09/2019

WEB COPY

PRESENT

The Hon`ble Mr.Justice G.R.SWAMINATHAN

CRL OP(MD). No.12402 of 2019

Kumari Thangam

... Petitioner/Accused No.1

Vs

The State of Tamil Nadu
The Inspector of Police,
District Crime Branch,
Nagercoil, Kanyakumari District.
Crime No.11/2019

... Respondent/Complainant

For Petitioner : M/s.S.R.Anbarasu,
Advocate.

For Respondent : Mr.A.Robinson,
Government Advocate (Crl.Side)

For Intervenor : Mr.M.Maharajar Advocate

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

PRAYER :-

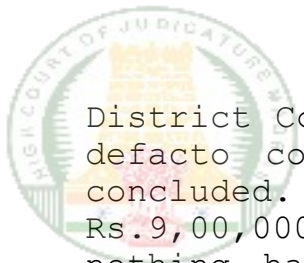
For Anticipatory Bail in Crime No.11 of 2019 on the file of the respondent police.

ORDER : The Court made the following order :-

Heard the learned counsel appearing for the petitioner and the learned Government Advocate(Crl. Side) appearing for the respondent.

2. The petitioner who is figuring as the first accused, apprehending arrest at the hands of the respondent police for the offences punishable under sections 120(b), 420, 294(b) and 506(i) of I.P.C., in Crime No.11 of 2019 on the file of the respondent police, seeks anticipatory bail.

3. The case of the defacto complainant is that the petitioner entered into a sale agreement with him for conveying the property that belongs to her minor children. The petitioner had taken a sum of Rs.25 Lakhs. In the first instance, the petitioner had taken six months time to conclude the transaction, since permission from the



District Court was required for conveying the minor's property. The defacto complainant therefore waited for the formalities to get concluded. The petitioner thereafter took further sum of Rs.9,00,000/- from the defacto complainant. Even thereafter, nothing happened. The defacto complainant thereupon came to know that by holding out similar assurance to one Selvaraj, the petitioner has received a sum of Rs.32 Lakhs and the said Selvaraj filed O.S.No.138 of 2018 on the file of the Principal District Judge, Kanyakumari District at Nagercoil, seeking the relief of specific performance.

4. The petitioner had earlier filed a Criminal Original petition before this Court and that the same was subsequently dismissed as withdrawn. This Court can visualize what would have happened before the predecessor Judge. The petitioner is not inclined to settle the claim of the defacto complainant. The dishonest intention on the part of the petitioner is apparent and evident.

5. Therefore, I am of the view that the petitioner is not entitled to any indulgence at the hands of this Court. This Criminal Original petition stands dismissed.

sd/-
05/09/2019

/ TRUE COPY /

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

TO

1.THE INSPECTOR OF POLICE,
DISTRICT CRIME BRANCH,
NAGERCOIL, KANYAKUMARI DISTRICT.

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

+1. CC to Mr.S.SURESH KUMAR Advocate SR.No.15040

ORDER
IN
CRL OP(MD) No.12402 of 2019
Date :05/09/2019

TK/MMS/SAR.2/16.09.2019/2P/4C