



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 30/01/2020

WEB COPY

PRESENT

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

CRL OP(MD). No.926 of 2020

Gomathi ... Petitioner/Accused No.3

Vs

State Rep.by
The Inspector of Police,
Thallakulam Police Station,
Madurai City.
Crime No.2165 of 2019. ... Respondent/Complainant

S.Ramani ... Petitioner/ Intervener

For Petitioner : M/s.V.Vishnu, Advocate.
For Respondent : Mr.A.Robinson,
Government Advocate (Crl.Side)
For Intervenor : Mr.S.Vinodh, Advocate

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

PRAYER :-

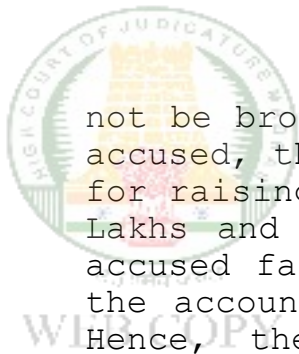
For Anticipatory bail in Crime No.2165 of 2019 on the file of the Respondent Police.

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 apprehending arrest at the hands of the respondent police for the offences punishable under sections 406 and 420 of I.P.C., in Crime No.2165 of 2019 on the file of the respondent police, seeks anticipatory bail.

3. The case of the prosecution is that the petitioner and two others are running a medical farm in the name and style of "Gladon Ortho in plants and Ideal Enterprises". They had availed loan to the tune of Rs.10 Lakhs by mortgaging the property of the defacto complainant. The accused had assured the defacto complainant that this property to the bank will be cleared and that the property will



not be brought to auction. Believing the assurances held out by the accused, the defacto complainant had parted with the title documents for raising of loan. The defacto complainant was paid a sum of Rs.3 Lakhs and the balance amount was appropriated by the accused. The accused failed to pay the EMI and as a result, the bank classified the account as NPA and they have taken steps to bring it to sale. Hence, the defacto complainant lodged a complaint in question leading registration of Crime No.2165 of 2019 on the file of Thallakulam police station.

4. The defacto complainant is a lady aged 67 years. It is obvious that the accused have clearly exploited her age and innocence. This is not a fit case for grant of anticipatory bail.

5. The criminal original petition stands dismissed, accordingly.

sd/-
30/01/2020

/ TRUE COPY /

/ /2020
Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

TO

1 THE INSPECTOR OF POLICE,
THALLAKULAM POLICE STATION,
MADURAI CITY.

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

+1 CC to M/s.S.VINODH, Advocate (SR-1963[I] dated 31/01/2020)

ORDER
IN
CRL OP(MD) No.926 of 2020
Date :30/01/2020

MS/PN/SAR-1/05.02.2020/2P.4C