



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

Date : 09/12/2020

PRESENT

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

CRL OP(MD). No.14086 of 2020

P.Sujatha ... Petitioner/Accused No.2

Vs

State Rep. by
The Inspector of Police,
Central Crime Branch,
Trichy.
(Crime No.14/2020).

... Respondent/Complainant

For Petitioner : Mr.K.S.Durai Pandian,
Advocate.

For Respondent : Mr.K.Suyambulinga Bharathi,
Government Advocate (Crl.Side)

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

PRAYER :- For Anticipatory Bail in Crime No.14/2020 on the file of respondent police.

ORDER : The Court made the following order :-

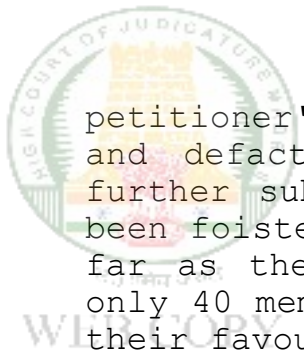
The petitioner, who is arrayed as A2, apprehending arrest at the hands of the respondent Police for the offence punishable under Section 406, 420, 467, 294(b) and 506(i) of IPC, in Crime No.14 of 2020 on the file of the respondent Police, seeks anticipatory bail.

2.The case of the prosecution is that the accused persons induced the general public and collected more than a sum of Rs.2,40,00,000/- from 400 members in the name of RKR Real Estate and also assured them to register house plots and thereafter, they cheated all the general public and did not register any house plots in their favour. Hence, the present complaint.

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

4.The learned counsel appearing for the petitioner submitted that since the petitioner is the wife of the first accused, she has been a victim of the offence committed in this case. He further submitted that the

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petitioner's husband is a president of All India Vijay Makkal Iyakam and defacto complainant is a secretary in the same Iyakam. He further submitted that due to political dispute, a false case has been foisted as against the petitioner. He further submitted that as far as the petitioner is concerned, she has collected money from only 40 members and she is ready and willing to execute sale deed in their favour.

5.The learned Government Advocate (Crl.Side) appearing for the respondent Police submitted that totally there are three accused in this case in which, the petitioner has been arrayed as A2. All the accused persons have joined together collected a sum of Rs.2,40,00,000/- from 400 members and also assured them to register house plots in their respective names. After collecting the money, the husband of the petitioner has purchased 4 acres of land in the petitioner's name in S.Nos.35/4, 36/5, 36/4 and 34/4 situated at Thenur Village, Alathur Taluk in Perampalur District in the year 2013 itself. Thereafter, the petitioner's husband got layout approval only for 2.30 acres alone and laid out only 43 plots to the measurement of 1200 sq. feet alone be marked. Therefore, the petitioner and her husband have cheated the general public without registering the house plots in their name. He further submitted that the first accused has already been arrested and remanded to judicial custody. Insofar as the petitioner is concerned, the custodial interrogation of the petitioner is very much required.

6.Considering the facts and circumstances of the case and also considering the fact that the petitioner and her husband have cheated the general public without registering the house plots in their name and the custodial interrogation of the petitioner is very much required, this Court is not inclined to grant anticipatory bail to the petitioner.

7.Accordingly, this criminal original petition stands dismissed.

sd/-
09/12/2020

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/ /2021
Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

Note : In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant concerned.



TO

1 THE INSPECTOR OF POLICE,
CENTRAL CRIME BRANCH, TRICHY.

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

ORDER

IN

CRL OP(MD) No.14086 of 2020

Date :09/12/2020

vsg

JM/PN/SAR IV/11.01.2021/3P/3C