

IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Monday, the Nineteenth day of April Two Thousand Twenty One

PRESENT

The Hon`ble Mr Justice M.DHANDAPANI

CRIMINAL ORIGINAL PETITION No.676 of 2021

N.THILAK CHANDRA KOUSHIK

[PETITIONER / ACCUSED]

Vs

STATE REP. BY
THE INSPECTOR OF POLICE,
PALLADAM POLICE STATION,
TIRUPPUR.
(CRIME NO.2489/2020).

[RESPONDENT]

For Petitioner : M/S. J.KINGSLY SOLOMON Advocate

For Respondent : M/S.T.SHUNMUGARAJESWARAN, Govt. Advocate (Crl.Side)

PETITION FOR ANTICIPATORY BAIL 438 Cr.P.C.

ORDER : The Court Made the following order :-

The petitioner, who apprehends arrest at the hands of the respondent police for the alleged offences punishable under Sections 354 A and 420 of IPC in Crime No.2489 of 2020 on the file of the respondent police, seeks anticipatory bail.

2.The case of the prosecution is that the defacto complainant is living separately from her husband along with her two sons. The defacto complainant intended to purchase a land to the tune of Rs.4,72,000/-, for which, a sum of Rs.2 lakhs as her savings and she borrowed a sum of Rs.3 lakhs from one Easwaran, who was the neighbour of the defacto complainant, in which, the said Eswaran gave Rs.1,65,000/- by way of Demand Draft and she received the balance amount in cash and registered the land in her favour on 24.10.2019. On 25.10.2019, the said Eswaran demanded Rs.3 lakhs from the defacto complainant, for which, the defacto complainant gave the land deed for mortgage to the petitioner for Rs.3 lakhs. In order to pay a sum of Rs.3 lakhs by the petitioner, he paid only Rs.50,000/- to the said Eswaran and on several requests of the defacto complainant, the petitioner failed to pay the balance amount of Rs.2,50,000/- and misbehaved with the defacto complainant and thereby cheated her. Hence, the present complaint.

3.The learned counsel for the petitioner submitted that the petitioner is an innocent person and he is in no way connected with the alleged offence as prosecuted. He would further submitted that a false case has been foisted against him. Therefore, he prays for grant of anticipatory bail to the petitioner.

4.The learned Additional Public Prosecutor submitted that the petitioner is said to have cheated the defacto complainant to the tune of Rs.2,50,000/- by mortgaging the sale deed. When she asked the balance amount, she was misbehaved by the petitioner though she is a deserted women. Hence, he vehemently opposed to grant anticipatory bail to the petitioner.

5.The allegations levelled against the petitioner are heinous offence and that the investigation of the case is still underway, this Court is of the opinion that it would not be justifiable to grant anticipatory bail to the petitioner at this point of time.

6.Accordingly, this Criminal Original Petition is dismissed.

-sd/-

19/04/2021

This order, on being produced, be punctually observed and carried into execution by all concerned

TRUE COPY

Sub-Assistant Registrar (Statistics/C.S.)
High Court, Madras - 600 104.

TO

1 THE INSPECTOR OF POLICE,
PALLADAM POLICE STATION,
TIRUPPUR.

2 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

CC to M/S. J.KINGSLEY SOLOMON Advocate on payment of necessary charges

CRL OP.676/2021

Date :19/04/2021

TA-05/05/2021