

IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Thursday, the Eighth day of April Two Thousand Twenty One

PRESENT

The Hon`ble Mr Justice M.DHANDAPANI

CRIMINAL ORIGINAL PETITION No.6449 of 2021

1 ANUSUYA [PETITIONERS/ ACCUSED]

2 ARUNKUMAR

Vs

STATE REP.BY
THE INSPECTOR OF POLICE [RESPONDENT/COMPLAINANT]
VAAZHAPADI POLICE STATION,
SALEM DISTRICT.
CRIME NO.578 OF 2020

For Petitioners : M/S.T.GANESAN Advocate

For Respondent : M/S.K.PRABAKAR, Additional Public Prosecutor

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

ORDER : The Court Made the following order :-

The petitioners, who apprehend arrest at the hands of the respondent police for the alleged offences punishable under Sections 294(b), 506(2) and 420 of IPC, in Crime No.578 of 2020, on the file of the respondent police, seek anticipatory bail.

2.The case of the prosecution is that the 1st petitioner's father borrowed a sum of Rs.45,80,000/- loan from the Government bank and from some individuals. Thereafter, he did not repaid the amount and he died. Thereafter, the petitioners approached the defacto complainant to pay the loan amount and for which they executed the sale of their property to the defacto complainant. Thereafter, the defacto complainant paid the loan amount and the mother and brother of the 1st petitioner executed a sale deed in favour of the defacto complainant. The 1st petitioner had executed the sale deed, thereafter she cancelled the same. Earlier, the defacto complainant initially lodged a complaint before the Mangalapuram Police Station, Namakkal District in Crime No.100 of 2018. Further, the defacto complainant has paid a sum of Rs.38,00,000/- to the petitioners for the purpose of transferring the sale deed. Even after receipt of the said amount, the petitioners had not executed the deed and threatened and assaulted the defacto complainant. Hence, the complaint was registered.

3.The learned counsel appearing for the petitioners submit that the petitioners have not committed any offence as alleged by the prosecution and they have been falsely implicated in this case. Hence, he prays for grant of anticipatory bail to the petitioners.

4.The learned Additional Public Prosecutor submits that the petitioners have cheated the defacto complainant. Hence, he vehemently opposed for grant of anticipatory bail to the petitioners.

5.Considering the fact that the huge amount was involved and the petitioners have involved very serious offence,, this Court is not inclined to grant anticipatory bail to the petitioners.

6.Accordingly, this Criminal Original Petition is dismissed.

-sd/-

08/04/2021

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
VAAZHAPADI POLICE STATION,
SALEM DISTRICT.

2.THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

CC to M/S.T.GANESAN Advocate on payment of necessary charges

CRL OP.6449/2021

Date :08/04/2021

TK/23.04.2021

WEB COPY