

IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Monday, the Fourteenth day of June Two Thousand Twenty One

PRESENT

The Hon`ble Mr Justice M.DHANDAPANI

CRIMINAL ORIGINAL PETITION No.8951 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.C.E.PRATAP Govt. Advocate (Crl. Side)

PETITION FOR ANTICIPATORY BAIL Under Sec. 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.This is the second anticipatory bail application before this Court. 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 complaint.

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

4.The learned Government Advocate (Crl. Side) 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. Considering the facts and circumstances of the case and also the fact that the case is under investigation and there is no change in circumstances to consider the anticipatory bail petition of the petitioner. Therefore, this Court is not inclined to grant anticipatory bail to the petitioner.

6. Accordingly, this Criminal Original Petition is dismissed.

-sd/-
14/06/2021

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.

+1 CC to M/S. J.KINGSLY SOLOMON Advocate on payment of necessary charges SR.NO. 6510

CRL OP.8951/2021

Date :14/06/2021

MN-01/07/2021