



IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Thursday, the Sixth day of January Two Thousand Twenty Two

PRESENT

The Hon`ble Mrs Justice T.V.THAMILSELVI

CRIMINAL ORIGINAL PETITION No.146 of 2022

V.JAYANTHI

[PETITIONER / ACCUSED]

Vs

STATE REP BY
THE INSPECTOR OF POLICE,
DISTRICT CRIME BRANCH,
ERODE.
(CRIME NO.11/2021)

[RESPONDENT]

For Petitioner : M/S B.KARTHIKEYAN Advocate

For Respondent : MR.A.GOKULAKRISHNAN Additional Public Prosecutor

For Intervenor : MR.M.GURUPRASAD For MR.C.S.SARAVANAN Advocate

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

ORDER : The Court Made the following order :-

ORDER

(Through Video Conference)

The petitioner, who apprehend arrest at the hands of the respondent police for the alleged offences punishable under Sections 120-B, 408 and 420 of IPC in Crime No.11 of 2021, on the file of the respondent police, seeks anticipatory bail.

2. There are totally eleven accused in this case. The petitioner herein is arrayed as A10 wife of A3. The case of the prosecution is that the petitioners and other accused had received a sum of Rs.2 crores from 350 members of the Neetaji Daily Vegetable Market Association under the guise of buying lands. Thereafter, the petitioners and other accused neither gave the land nor returned the money. Hence, the complaint.



3.The learned counsel appearing for the petitioner submitted that the petitioner has not committed any offence as alleged by the prosecution and she has been falsely implicated in this case. He further submits that they buy plot in Nasiyanur Village for about 800 square feet for each members in the year 2016. He further submits that the Government has introduced "The real Estate (Regulation and Development) Act 2016" to protect buyers and help the investment in real estate sector. On account of this, the petitioner could not in a position to hand over the property to the members of the Neetaji Daily Vegetable Market Association. Hence, he prays for grant of anticipatory bail to the petitioner.

4. The learned counsel for the intervener raised objection stating that there are about 800 members in the Neetaji Daily Vegetable Market and merely about 350 members were paid the amount of Rs.70,000/- by the promise given by the accused A1 to A4 and they purchased the property, utilizing the amount in their family members. Hence the complaint was aroused.

5. The learned Additional Public Prosecutor submitted that the petitioner by giving false promise they collected Rs.70,000/- from 350 members in Neetaji Daily Vegetable Market Association in order to purchase land. But they purchased the land in their family members. They neither gave the land nor returned the money. Hence, he vehemently opposed for grant of anticipatory bail to the petitioners.

6. Considering the submissions of both sides, it reveals that in order to get the house plot from about 350 members in Neetaji Daily Vegetable Market Association collected huge sum of money but the members of the association not complied the demand on the other hand, they purchased the property in their family members which needs detailed interrogation including the custodial interrogation. Hence, this Court is not inclined to grant anticipatory bail to the petitioner.

7.Accordingly, this Criminal Original Petition is dismissed.

-sd/-

06/01/2022

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,
DISTRICT CRIME BRANCH,
ERODE DISTRICT.

2 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

+1CC to M/S B.KARTHIKEYAN Advocate on payment of necessary
charges SR.No.412

+1CC to M/S.M.GURUPRASAD Advocate on payment of necessary
charges SR.No.407

CRL OP.146/2022

Date :06/01/2022

CSK 20/01/2022