



IN THE HIGH COURT OF JUDICATURE AT MADRAS

( Criminal Jurisdiction )

Monday, the Twenty Fourth day of January Two Thousand Twenty Two

PRESENT

The Hon`ble Mrs Justice T.V. THAMILSELVI

CRIMINAL ORIGINAL PETITION No.555 of 2022

D.VIJAYA KUMAR

[ PETITIONER / ACCUSED ]

Vs

STATE REP BY  
THE INSPECTOR OF POLICE,  
DISTRICT CRIME BRANCH (DCB),  
TIRUVALLUR,  
TIRUVALLUR DISTRICT.  
CRIME NO. 40 OF 2021.

[ RESPONDENT ]

For Petitioner : M/S.V.BHAGYARAJ Advocate

For Respondent : MR. A.GOKULAKRISHNAN, Additional Public Prosecutor

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 offence under Sections 420, 465, 468, 471 of IPC, in Crime No.40 of 2021 on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that in the year 2015, the petitioner offered a land for sale situated at Orakodam, Ambattur for which he is a power agent, as the defacto complainant was interested the land he accepted the offer and purchased the property in his wife name Mariya Louisa vide Sale Deed No.5895 of 2015 dated 24.04.2015. Further, the petitioner had received a sum of Rs.3,11,00,000/- from the defacto complainant. After, the sale, the defacto complainant applied for Electricity Supply the same got rejected stating that the schedule property was in the name of one Shoba Rani, when the defacto complainant approached the Revenue Department to verify the dispute related to the schedule property, an enquiry was conducted by the Revenue Department and the Patta issued by the Revenue Department in favour of the wife of the defacto complainant was cancelled.



Thereafter, the defacto complainant approached the petitioner to return the amount, but the same was refused by the petitioner. Hence, the case has been registered against the petitioner.

3. The learned counsel for the petitioner submitted that the petitioner is an innocent person and he has been falsely implicated in this case. He further submitted that the petitioner is only power agent and the entire amount was paid to one Murugesan and the civil suit is pending before the District Munsif, Ambattur in O.S.No.257 of 2015. Hence, he prays for grant of anticipatory bail to the petitioner.

4. The learned Additional Public Prosecutor submitted that the petitioner had received a sum of Rs.3,11,00,000/- from the defacto complainant and created forged document and cheated him. He further submitted that the investigation is at initial stage. Hence, he vehemently opposed for grant of anticipatory bail to the petitioner.

5. Considering the facts and circumstances of the case and also the fact that the investigation is at initial stage and the amount is involved more than Rs.3 Crores, this Court is not inclined to grant anticipatory bail to the petitioner.

6. Accordingly, this Criminal Original Petition is dismissed.

-sd/-

24/01/2022

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 (DCB),  
TIRUVALLUR, TIRUVALLUR DISTRICT.

2 THE PUBLIC PROSECUTOR  
HIGH COURT, MADRAS.

CC to M/SV.BHAGYARAJ Advocate on payment of necessary charges

CRL OP.555/2022

Date :24/01/2022

RW 02/02/2022