



IN THE HIGH COURT OF JUDICATURE AT MADRAS
(Criminal Jurisdiction)

Friday, the Eleventh day of March Two Thousand Twenty Two

PRESENT

The Hon`ble Dr Justice G. JAYACHANDRAN
CRIMINAL ORIGINAL PETITION No.5356 of 2022
and Crl.M.P.No.3205 of 2022

1 K.MAHESHWARI
2 N.KANAGAVEL

[PETITIONERS / ACCUSED]

Vs

THE STATE OF TAMIL NADU
REP BY THE SUB INSPECTOR OF POLICE,
CENTRAL CRIME BRANCH, TEAM XXB,
EDF-III, VEPERY, CHENNAI 600007.
CRIME NO.200 OF 2021

[RESPONDENT]

B.KUMARAVELU ..PETITIONER/DEFACTO COMPLAINANT/INTERVENER
IS ALLOWED AS PER ORDER OF THIS COURT
DATED 11/03/2022 MADE IN CRL.M.P.No.3205/2022

For Petitioner : M/S.J.ARUN PRASAD Advocate

For Respondent : MR. S.SANTHOSH, Govt. Advocate (Crl. Side)

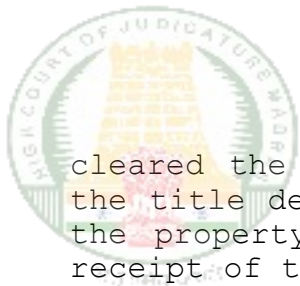
For Intervenor : M/S K.N.NATARAAJ Advocate

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

ORDER : The Court Made the following order :-

Heard the Learned Counsel for the petitioner and Learned Government Advocate (Crl.Side) for the respondent.

2. From the material placed it appears that the defacto complainant having agreed to sell the property for a sum of Rs.1,02,00,000/- and received Rs.85,00,000/- from the defacto complainant and put the defacto complainant into possession or part of the property has now taken some defence for not executing the sale deed receiving the balance amount. Though, on the face of the complaint, it appears to be a civil dispute but the other averments in the FIR indicates that the petitioner herein with intention to cheat the defacto complainant after executing the sale deed on 15.12.2019 receiving substantial part of the sale consideration had



cleared the loan in Karur Vysya Bank to a tune of Rs.60 lakhs, got the title deed cleared and thereafter, now retaining the 2nd floor of the property as well as denying the execution of the sale deed on receipt of the balance sale consideration.

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3. Since there is a prima facie inference towards deception at the inception itself had entered into the contract. Hence, this Court is not inclined to entertain this anticipatory bail. Accordingly, this Criminal Original Petition is dismissed.

-sd/-

11/03/2022

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 SUB INSPECTOR OF POLICE,
CENTRAL CRIME BRANCH, TEAM XXB,
EDF-III, VEPERY, CHENNAI 600007.

2 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

CC to M/S.J.ARUN PRASAD Advocate on payment of necessary charges Sr.3862

CRL OP.5356/2022

and Crl.M.P.No.3205 of 2022

Date :11/03/2022

RVR 16/03/2022