



Crl. M.P. No.9142 of 2022
in
Crl. O.P. No.23151 of 2021

T.V.THAMILSELVI, J.

This Criminal Miscellaneous Petition has been filed to cancel the bail granted to the 2nd respondent in Crl. O.P. No.23151 of 2021 by order dated 01.12.2021.

2. The learned counsel for the petitioner would submit that the petitioner is doing the concrete works on the daily wages and her husband was expired. Being the bread winner of the family, she is taking care of her family. On seeing the Advertisement published by V.J. Land Promoters run by the 2nd respondent herein who is practising as an advocate, the petitioner had purchased the housing plot in her son name in the layout promoted by V.J. Land Promoter on the instalment basis. Accordingly, the petitioner regularly has paid every installment from 2011 to 2016. After paying out the total instalment for a sum of 1,60,000/-, the petitioner approached the 2nd respondent/accused to register the said plot in her name. There is no proper and responsible answer from the 2nd respondent with regard to registration of the plot. Hence, as per the complaint of the petitioner, the 1st respondent



police registered under Section 147, 294(b), 354, 506(1) and 420 of IPC in Crime No.1277 of 2021.

3.It has been further submitted that this Court by its order dated 01.12.2021 in Crl.O.P. No.23151 of 2022 granted bail to the 2nd respondent herein on payment of Rs.1,20,000/- and on other conditions. The 2nd respondent apparently violated the condition imposed by this Court in para No.6(d). After enlarging on the bail, the 2nd respondent/accused has involved in threatening the petitioner to withdraw the said complaint and attacked her and hence, another complaint was filed against the 2nd respondent in C.S.R. No.364 of 2022 dated 07.03.2022 which is under the investigation.

4. The learned counsel for the petitioner would further submit that the 2nd respondent is attempting to tamper the witness by way of using his official capacity and hence, the custodial interrogation is necessary for completion of investigation and to file the final report. Hence, he seeks to cancel the bail granted by this Court to the 2nd respondent herein.

5. Heard both sides



6. Having considered the facts and circumstances of the case and submissions of the learned counsel on either side, it is seen that the 2nd respondent has not breached any conditions imposed by order dated 01.12.2021 of this Court in Crl. O.P. No.23151 of 2021. Hence, this Court is not inclined to cancel the bail.

7. Accordingly, the Criminal Original Petition is dismissed.

30.11.2022

Lbm



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