



Crl.O.P.No.21941 of 2022

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**A.D.JAGADISH CHANDIRA, J.**

This criminal original petition has been filed seeking to enlarge the petitioner on bail in respect of Crime No.6 of 2022, on the file of the respondent Police.

2. The case of the prosecution as per the de-facto complainant is that she is a divorcee and she has registered for re-marriage at divorcee matrimony website and at the time, the first accused proposed the de-facto complainant for alliance and while the discussions were going on, the first accused received a sum of Rs.50 lakhs as cash and 50sovereigns of jewels and thereafter, on the false promise of marrying her, committed sexual intercourse with her and later cheated her. Hence the complaint.

3. The learned counsel for the petitioner would submit that the petitioner is an innocent person and he has been falsely implicated in this



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case, since he happens to be the cousin of the first accused. He would further submit that other than receiving the amount of Rs.7 lakhs in his account, the petitioner has no other transaction with him. He would also submit that the petitioner himself is a victim of the main accused. The learned counsel would submit that the petitioner has already pledged his property and paid a sum of Rs.18 lakhs to the main accused and the above said amount has been returned to him as a repayment in an earlier occasion and other than that, the petitioner does not know anything. He would further submit that the petitioner is in custody in 18.08.2022. Hence, he prays for grant of bail to the petitioner.

4. The Learned Government Advocate (Crl.Side) appearing for the respondent has produced the detailed counter filed by the respondent. He would submit that the petitioner, who is arrayed as A4 in this case, is a cousin of the main accused. He would further submit that the first accused has the modus of cheating the divorcees and widows, who are ready for second marriage. He would further submit that he used to advertise in online and in newspaper and approached them and by



promising to marry them, has received an amounts to the value of several lakhs from several persons and cheated them. He would also submit that the other accused, who are the relatives of the first accused are aware of the activities of the first accused and having known his activities, they have abetted and supported him. He would further submit that the petitioner is not a stranger to the first accused and there are 7 previous cases of similar nature pending as against the first accused and in none of the cases, the amounts have been recovered and he would also furnish the details of all the cases. He would also submit that the investigation is in initial stage and hence, he vehemently oppose for grant of bail to the petitioner.

5. The learned counsel for the Intervener would submit that the petitioner is none other than the cousin of the first accused and he is well aware of the criminal activities of the first accused as well as his mother and uncle, who had abetted the first accused in all his fake marriages.



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6. Heard both the learned counsel for the petitioner and the intervener and the learned Government Advocate (Crl.Side) and perused the materials available on record.

7. Taking into consideration the facts and circumstances of the case and taking note of the fact that the first accused has cheated several persons and the investigation is at initial stage and also considering the serious nature of offence, this Court is not inclined to grant bail to the petitioner.

8. Accordingly, this Criminal Original Petition stands dismissed.

**26.09.2022**

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