



Crl.O.P.No.24642 of 2022

Crl.O.P.No.24642 of 2022

T.V.THAMILSELVI, J.

The petitioner, who apprehends arrest at the hands of the respondent police for the offence punishable under Sections 406, 420 read with Section 34 of IPC in Crime No.99 of 2022, seeks anticipatory bail.

2. The defacto complainant has given a complaint, which was registered as First Information Report against the petitioner herein, alleging that the petitioner has breached his trust and also cheated him.

3. It is the case of the petitioner/accused that the defacto complainant was in the habit of borrowing money from the petitioner and that in the year 2017, the defacto complainant requested for an amount more than one Crore as loan. Since, loan amount was huge, the petitioner was hesitating to lend the loan. Thereafter, complainant offered to sell his property situated at Shop No.3, New No.857, 120B Strhans Road, Chennai-600 012 and the petitioner purchased the same for a valid sale



Crl.O.P.No.24642 of 2022

consideration. Thereafter, to develop his business, the defacto complainant requested the petitioner for financial help and offered to keep his property situated at Kanyakumari District as mortgage and executed a mortgage deed for due repayment of loan amount. During the year 2018, the defacto complainant said the petitioner that landlord, where the defacto complainant is at present residing, is urging the defacto complainant to vacate the property. The defacto complainant suggested the petitioner to buy the property and even offered to negotiate with the landlord. Believing the words of the defacto complainant, the petitioner offered money and the defacto complainant registered the property in his name and later transferred the property in the name of the petitioner. Thereupon, a rental agreement was entered into between petitioner and the defacto complainant and since, the defacto complainant defaulted in payment of the rent, the petitioner filed an Original Petition before the Small Causes Court, Chennai for eviction of the defacto complainant. The defacto complainant has also filed a suit in C.S.No.16 of 2021 before this Court to set aside the sale deed and the same is pending adjudication.



Crl.O.P.No.24642 of 2022

4. While the matter stood thus, defacto complainant preferred a private complaint against the petitioner for the offences mentioned above.

5. Heard the learned counsel for the petitioner, the learned counsel for the intervenor and the learned Government Advocate (Criminal Side).

6. It is brought to the notice of this Court that the petitioner has issued one Demand Draft for registration of two sale deeds. However, it is noted that both the sale deeds were registered on two different dates and the matter requires investigation. Therefore, this Court is not inclined to grant the relief sought for by the petitioner and consequently, this Criminal Original petition for anticipatory bail stands dismissed.

16.12.2022

jai



WEB COPY



Crl.O.P.No.24642 of 2022

T.V.THAMILSELVI, J.

jai

Crl.O.P.No.24642 of 2022

16.12.2022