



CrI.O.P.No.24637 of 2022

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Dr.G.JAYACHANDRAN, J.

This is the second Anticipatory Bail Petition filed by this petitioner stating that some of the co-accused have been granted anticipatory bail and taking that as a change of circumstances the anticipatory bail may be granted.

2. Heard the learned counsel for the petitioner and the learned Government Advocate (Criminal side) appearing for the respondent.

3. The learned Government Advocate (Criminal side) opposed the grant of anticipatory bail to this petitioner on the ground that there are two complaint of similar nature against this petitioner, who promoted a company by name Smart Home Developers, promising house to the public and collected a sum of Rs.11,25,000/- from various persons.

4. The learned counsel for the petitioner would submit that though the petitioner is the Managing Director of the Smart Home Developers, he has collected only Rs.25,000/- from the *de facto* complainant and he is ready to



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repay the same. A copy of the anticipatory bail granted to the co-accused has also been furnished.

5. On perusing the allegations made in the FIR against this petitioner and the reason given by this Court for granting anticipatory bail to the A3 and A4, this Court finds that the money was collected from the Public in the name of Smart Home Developers, the company in which the petitioner is the Managing Director admittedly. Whereas, the A3 and A4, to whom this Court has granted anticipatory bail, were the employees in the said company, working as Engineers. Therefore there cannot be a parity between A3, A4 and A1, who is prime promoter of the Company and had collected money either directly or through Company.

6. In view of the above, this Court finds no reason to review the earlier order of dismissal. Accordingly, this Criminal Original Petition is dismissed.

14.10.2022

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