



CRL.O.P.No.31260 of 2022

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T.V.THAMILSELVI,J.

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The petitioners, who apprehends arrest for the alleged offence under Sections 294(b), 323, 506(1) r/w Section 149 IPC and Section 4 of TNPHW Act in Cr.No.326 of 2022, seek anticipatory bail.

2.The case of the prosecution is that the defacto complainant lodged a complaint before the respondent police alleging that the petitioner approached and informed her that there was a plot with low rate and accordingly he received amount from her. But later, she came to know that the documents produced by the petitioner is a forged one. Thereafter, the defacto complainant asked the petitioner to return back the money. However, the same was refused by the petitioner. Hence, the case.

3.The learned counsel appearing for the petitioner submitted that the petitioners have not committed any offence as alleged by the prosecution and they have been falsely implicated in this case. Hence prays for grant of anticipatory bail.



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4.The learned Government Advocate (Crl.Side) would submit that the petitioner approached and informed the defacto complainant that there was a plot with low rate and accordingly he received amount from her. But later, she came to know that the documents produced by the petitioner is a forged one. Thereafter, the defacto complainant asked the petitioner to return back the money. However, the same was refused by the petitioner. Hence, he vehemently opposed to grant anticipatory bail to the petitioner.

5.Mr.R.Anandha Baby, learned counsel appearing for the defacto complainant/Intervenor would submit that the petitioner by creating fake documents and using the seal of the Government had attempted to sell the property belonging to the Government on a false promise. Believing the words of the petitioner, the defacto complainant, who is a daily wager had handed over the amount to the petitioner. Thereafter, knowing the fact that the documents were fake, the defacto complainant asked for return of the money. However, the petitioner had threatened her with dire consequences. He would further submit that the Human Rights Commission had also imposed a fine amount of Rs.10,000/- to the Inspector of Police, Vepery for



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not taking action for the alleged act of the petitioner herein. Hence, he vehemently opposed for grant of anticipatory bail to the petitioner.

6. Considering the facts and circumstances of the case and that the Human Rights Commission had imposed fine amount to the Inspector of Police, Vepery for not taking action against the petitioner for his conduct and that if the petitioner is released on bail he would tamper the evidence, this court is not inclined to grant anticipatory bail to the petitioner and this case requires a detailed investigation.

7. Accordingly, this Criminal Original Petition is dismissed.

20.12.2022

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