



WEB COPY

CRL OP(MD).



22

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 03/11/2022

PRESENT

The Hon`ble Mr.Justice A.A.NAKKIRAN

CRL OP(MD) . No.2720 of 2022

Theivandran

... Petitioner/Accused No.1

Vs

1. The State Rep.by,
The Inspector of Police,
Thallakulam Police Station,
Madurai City.
(Crime No.78/2022).

... Respondent/Complainant

2. Kalyani

...2nd Respondent

(R2 is suo motu impleaded as per
order of this Court dated 09.02.2022
in CrI.O.P(MD) No.2720 of 2022 by
KMSJ)

For Petitioner : M/s. Sades Kumar.S
Advocate.

For R1 : Mr.M.Muthumanikkam,
Government Advocate (CrI.Side)

For R2 : Mr.J.John, Advocate

PETITION FOR ANTICIPATORY BAIL Under Sec.438 of Cr.P.C

PRAYER :-

For Anticipatory Bail in Crime No.78/2022 on the file of the
respondent police.

ORDER : The Court made the following order :-

The petitioner, who apprehends arrest at the hands of the
respondent police for the offences punishable under Section 420
of I.P.C, seeks anticipatory bail.

<https://www.mhc.tn.gov.in/judis>



2.The case of the prosecution is that in the year 2018, the defacto complainant had entered an agreement to purchase a land property with the petitioner, who is the friend of her husband's brother and on various dates, she paid total sum of Rs.29,70,000/-. Intermittently, the defacto complainant's husband was died. Thereafter, the accused persons cheated the complainant and failed to repay the amount. Then, on 25.06.2020, the petitioner returned a sum of Rs.6,00,000/- to the defacto complainant and the remaining amount was not repaid. Hence, the complaint.

3.The learned counsel for the petitioner would submit that the petitioner is an innocent person and he has not committed any offence as alleged by the prosecution. He would further submit that the petitioner shall abide any condition imposed by this Court and hence, he may be granted anticipatory bail.

4.The learned Government Advocate (Crl.side) appearing for the respondent police would submit that the petitioner and other accused cheated the defacto complainant to the tune of Rs.29,70,000/-. He would further submit that investigation in this case is not yet completed and the custodial interrogation of the petitioner is very much necessary. Hence, he opposed for grant of anticipatory bail to the petitioner.

5.Considering the seriousness and gravity of the offence and considering the objections raised by the prosecution and the amount involved in this case and the also the fact that the investigation is still pending and custodial interrogation of the petitioners is very much necessary in this case as stated by the learned Additional Public Prosecutor, this Court is not inclined to grant bail to the petitioners.

6. Accordingly, this Criminal Original Petition is dismissed.

sd/-
03/11/2022

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/11/2022

Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

CP

TO

1. The Inspector of Police,
Thallakulam Police Station,
Madurai City.

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2.THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

ORDER

IN

CRL OP(MD) No.2720 of 2022

Date :03/11/2022

RK/BUC/SAR-2 (14/11/2022) 3P/3C