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CRL OP(MD)N



22

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

( Criminal Jurisdiction )

Date : 25/11/2022

PRESENT

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

CRL OP(MD)No.13091 of 2022

Perumal,

... Petitioner/ Sole Accused

Vs

State Rep.by  
The Inspector of Police,  
All Women Police Station,  
Oddanchatram,  
Dindigul District.  
Crime No.13 of 2022.

... Respondent/Complainant

S.Subbammal

...Petitioner/Proposed 3<sup>rd</sup> respondent  
in CRL MP(MD)No.14612 of 2022

M.Gomathy

...Petitioner/Proposed 3<sup>rd</sup> Respondent  
in CRL MP(MD)no. 14635 of 2022

For Petitioner : M/s.Arumugam C.M, Advocate

For Respondent : Mr.M.Muthumanikkam,  
Government Advocate (Cr1.Side)

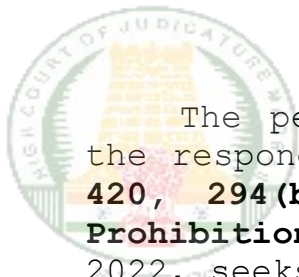
For Interveners : Mr.Raja. Karthikeyan, Advocate  
IN CRL MP(MD)Nos.14612 & 14635 OF 2022

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

PRAYER :-

For Anticipatory Bail in Crime No.13 of 2022 on the file of the  
Respondent Police.

ORDER : The Court made the following order :-



The petitioner/Accused, who apprehends arrest at the of the respondent police for the offences punishable **(\*)under Sections 420, 294(b) and 506(i) of I.P.C and Section 4 of Tamil Nadu Prohibition of Harassment of Women Act, 2002,** in Crime No.13 of 2022, seeks anticipatory bail.

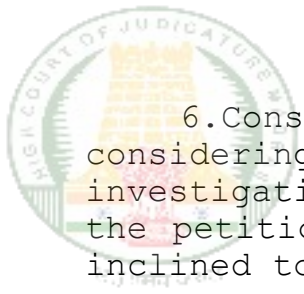
**(\*) (Offences are amended as per the order of this Court dated 25.11.2022made in Crl.M.P(MD) No.14569 of 2022)**

2.The case of the prosecution is that the petitioner was introduced to the defacto complainant by one Perumal and the petitioner gave false promise that if the defacto complainant gives a sum of Rs.3 lakhs to him, he will return back lot of amount by investing the same into iridium business. By believing the false promise, on 03.03.2020 the defacto complainant had given a sum of Rs.3 lakhs to the petitioner/accused, but later the accused had not returned the said amount as per his promise. Further, the accused has asked the defacto complainant to deposit an additional sum of Rs.7 lakhs and the same was also given to the petitioner. Subsequently, the petitioner did not return the said amount. When the defacto complainant demanded the amount, the petitioner asked her to come near Bailnaickenpatti and get her money back. On 06.06.2022, the defacto complainant was waited the said place, the accused started to seduce and insult the modesty of the defacto complainant and then abused her in filthy language and criminally intimidated her. Hence, the complaint.

3.The learned counsel for the petitioner would submit that the petitioner obtained a sum of Rs.7,00,000/- from the defacto complainant as loan and he used to pay a sum of Rs.21,000/- as monthly interest at the rate of 3%. Further, a sum of Rs.1,00,000/- was given to the defacto complainant and now, the balance amount of Rs.6,00,000/- only is yet to be paid. He would further submit that the petitioner is an innocent person and he did not commit any offence as alleged by the prosecution. Further, 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 cheated the defacto complainant to the tune of Rs.10,00,000/- and also criminally intimidated her. He would further submit that the petitioner cheated the several persons and the amount is yet to be recovered. Further, investigation is in initial stage and custodial interrogation of the petitioner is necessary. Hence, he strongly opposed to grant anticipatory bail to the petitioner.

5.The learned counsel appearing for the interveners vehemently opposed to grant anticipatory bail to the petitioner.



6. Considering the nature and gravity of the offence so considering the facts that huge amount involved in this case and the investigation is at preliminary stage, custodial interrogation of the petitioners are very much necessary. Hence, this Court is not inclined to grant anticipatory bail to the petitioner.

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6. Accordingly, this Criminal Original Petition is dismissed.

sd/-  
25/11/2022

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/12/2022  
Sub-Assistant Registrar (C.S.)  
Madurai Bench of Madras High Court,  
Madurai - 625 023.

CP

TO

- 1 THE INSPECTOR OF POLICE  
ALL WOMEN POLICE STATION, ODDANCHATRAM,  
DINDIGUL DISTRICT.
- 2 THE ADDITIONAL PUBLIC PROSECUTOR,  
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1 CC to M/s.C.M.ARUMUGAM, Advocate ( SR-13744[I] dated 25/11/2022 )

+1 CC to M/s.RAJA.KARTHIKEYAN, Advocate ( SR-13764[I] dated  
25/11/2022 )

ORDER  
IN  
CRL OP(MD) No.13091 of 2022  
Date :25/11/2022

PKP/VR/SAR-4/23.12.2022/3P/5C