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Crl.OP(MD)N



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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)

Dated: 18/08/2022

PRESENT

The Hon'ble Mr.Justice **G.ILANGOVAN**

Crl.OP(MD)No.13700 of 2021

Revathi

... Petitioner/Accused No.2

Vs.

State represented by
Inspector of Police,
Andipatti Police Station,
Andipatti,
Theni District.
(Crime No.586 of 2021)

... Respondent/Complainant

Umamaheshwari

... Intervener / Defacto Complainant
in Crl MP(MD)No.8815 of 2021

For Petitioner : Mr.M.Mahaboob Athiff, Advocate.

For 1st Respondent : Mr.P.Kottai Chamy
Government Advocate(Criminal side)

For Intervenor : Mr.R.Karunanidhi, Advocate.

PETITION FOR ANTICIPATORY BIAL under Sec.438 of Cr.P.C.C

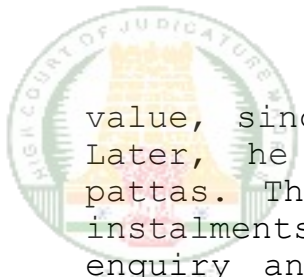
PRAYER:-For Anticipatory Bail in Crime No.586 of 2021 on the file of the Respondent Police.

ORDER : The Court made the following order:-

The petitioner, who is arrayed as A2 apprehending arrest at the hands of the respondent police for the offences punishable under sections 406, 420, 465, 468, 461, 409, 120-B and 506(i) IPC, in Crime No.586 of 2021 on the file of the respondent police, seeks anticipatory bail.

2.The case of the prosecution is that the de-facto complainant lodged a complaint stating that A1 initially received a sum of Rs.5,000/- stating that he can buy house sites less than the market

<https://www.mh5.tn.gov.in/judis>



value, since he got acquaintance with the Tashildar of Au. Later, he received Rs.3,20,000/- on 19/11/2019 by showing four pattas. Then, he received Rs.20,00,000/-, on 12/06/2019 in three instalments. A doubt was created, as result of which, he made an enquiry and A1 informed him that he can approach A3 working as Office Assistant in the Collector Office, Theni. On 22/06/2019, A3 and A4 handed over the patta. On verification, it was found that patta stands in the name of the President, Tamil Nadu Housing Board. When he contacted A1, he could not contact him. Later, she demanded the money to be returned. On 31/07/2019, A5 to A7 conducted Katta Panchayat, in which A1 and A2 executed a promissory note for a sum of Rs.20,00,000/-. Later also they defaulted. So a complaint was lodged before the Chinnamannur Police station by A1 and A2 as if the de-facto complainant trespassed into their property. Again they were taken to A12 wherein he has told that patta is a genuine one. Based upon which he received Rs.9,75,000/-. Later, the transaction failed and money was demanded back by the de-facto complainant. On 23/07/2020, A5 to A7 created a drama as if the de-facto complainant and others kidnapped A1 and A2 with the help of A15.

3. Seeking anticipatory bail, A2 has moved this petition,

4. Heard both sides.

5. The learned Government Advocate (Criminal side) would submit that this petitioner is also involved in Crime No.20 of 2017 for the offences under sections 406 and 420 IPC. As per the preliminary enquiry, A1 and A2 received Rs.73,40,000/- from the complainant and later cheated.

6. The learned counsel appearing for the petitioner, in response, would submit that this petitioner belongs to a respective family and absolutely, she has no connection with the accused persons.

7. But reading of the entire file shows that serious allegation of creation of fake patta order has been made. More-over, the petitioner is also involved in previous offence as stated above. As such, the petitioner is not entitled for the discretionary relief of anticipatory bail.

8. In the result, this criminal original petition is **dismissed**.

sd/-

18/08/2022

/ TRUE COPY /

/09/2022

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



Note : In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant concerned.

TO

1 THE INSPECTOR OF POLICE
ANDIPATTI POLICE STATION, ANDIPATTI, THENI DISTRICT.

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

+1. CC to Mr.R.KARUNANITHI, Advocate SR.No.39181.

ORDER
IN
CRL OP(MD) No.13700 of 2021
Date :18/08/2022

ER
MK/PN/SAR.II/02.09.2022/2P/4C