



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

Date : 28/10/2022

PRESENT

The Hon`ble Mr.Justice A.A.NAKKIRAN
CRL OP(MD). No.14051 of 2022

1. K.Subha,

2. V.Krishnasamy,

3. K.Kashyap Narayanan, ... Petitioners/Accused Nos. 1 to 3.
Vs

State Rep.by

The Inspector of Police,
City Crime Branch, Heber Road,
Tiruchirappalli City.
Crime No.19 of 2022..

... Respondent

D.R.Raju ...Intervening Petitioner/Proposed Respondent
/Defacto Complainant
in CRL MP(MD)No. 9121 OF 2022

For Petitioner : Mr.K.R.Kishore Ram, Advocate.

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

For intervenor : Mr. Meenakshi Sundaram, Advocate
in CRL MP(MD)No. 9121 OF 2022

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

PRAYER :-

For Anticipatory Bail in Crime No.19 of 2022 on the file of the
Respondent Police.

ORDER : The Court made the following order :-

The petitioners apprehending arrest at the hands of the
respondent police for the offences punishable under sections 405,
406, 420, 503, 506(1) IPC and 120B IPC., in Crime No. 19 of 2022 on
the file of the respondent police, seek anticipatory bail.

2. The case of the prosecution is that 1st petitioner, who is
the owner of the property, had entered into an agreement with the
defacto complainant to sell the property for a sum of
Rs.2,30,00,000/- and that the defacto complainant has paid a sum of
Rs.1,06,00,000/- as advance and thereafter, A1 refused to execute
the sale deed and entered into an agreement with some other person.
Hence, the complaint.



3. The learned counsel appearing for the petitioners stated that the petitioners have repaid the part of the amount to the defacto complainant and balance amount Rs.25,00,000/- to be repaid to the defacto complainant. He would further submit that the arbitration proceeding has also been initiated and the same was closed and this case has been registered against the petitioners only with an ulterior motive and seeks anticipatory bail.

4. The learned counsel for the intervenor submitted that after entering into the agreement with the de facto complainant, the petitioners herein have entered into an agreement with some other persons for huge amount and refused to register the sale deed and he seeks dismissal of this petition.

5. The learned Government Advocate (Crl. Side) appearing for the respondent would submit that totally three accused involved in this case. He would further submit that after receiving the advance amount from the de facto complaint, the petitioners herein have entered into an agreement with some other persons for more amount and the amount involved in this Crime is very huge and hence, the custodial interrogation of the petitioners is necessary and he strongly opposed to grant anticipatory bail to the petitioners.

6. Considering the submission made by the learned Government Advocate (Crl. Side) and the intervenor and also considering the serious nature of allegations made against the petitioners, this Court is not inclined to grant anticipatory bail to the petitioners.

7. Accordingly, this criminal Original Petition is dismissed.

sd/-

28/10/2022

/ TRUE COPY /

/11/2022

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

TO

1 THE INSPECTOR OF POLICE
CITY CRIME BRANCH, HEBER ROAD,
TIRUCHIRAPPALLI CITY.

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

ORDER

IN

CRL OP(MD) No.14051 of 2022

Date :28/10/2022

trp

<https://www.mhcc.org.in/cr-1/09.11.2022/2P/3C>