



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 10/10/2022

WEB COPY

PRESENT

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

CRL OP(MD). No.14936 of 2022

1.N.Sekar
2.N.Ravichandran
3.R.Chandrasekaran

... Petitioners/Accused

Vs

The State rep.by,
The Inspector of Police,
Anti Land Grabbing Special Cell,
District Crime Branch Police Station,
Trichirappalli District.

... Respondent/Complainant

K.Radha

... Petitioners / Interveners
IN CRL MP(MD)No.9944 of 2022

For Petitioner	:	M/s.Vishnuvardhan.S, Advocate.
For Respondent	:	Mr.M.Muthumanikkam, Government Advocate (Crl.Side)
For Intervener	:	M/s.H.Lakshmi Shankar, Advocate.

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

PRAYER :-For Anticipatory Bail in Crime No.21 of 2022 on the file of the respondent Police.

ORDER : The Court made the following order :-

The petitioners, who apprehend arrest at the hands of the respondent police for the offences punishable under Sections 120B, 294(b) 420, 467, 468, 471 and 506(i) of IPC, in Crime No.21 of 2022, seek anticipatory bail.

2.The case of the prosecution is that the husband of the defacto complainant died on 25.06.2018 and thereafter, the defacto complainant was in need of money to meet the financial problems. Knowing the same, under the guise of helping the defacto complainant, the first petitioner lent a sum of Rs.2,00,000/- after receiving cheques and pronotes from her. He also advised the complainant to sell the property in Seelapadi to one



Krishnamoorthy for a sum of Rs.1.4 crores, which amount received by the defacto complainant. Thereafter inorder to sell the property in Vaiyampatti village, the first petitioner advised the defacto complainant to execute the sale deed in favour of the Petitioners 2 and 3 in order to conduct a civil litigation, which is pending with one of the tenant therein and also promised to pay a sum of Rs.3.5Crores at the time of exeucting sale deed in favour of Krishnamoorthy. Believing the same the defacto complainant also executed sale deed in favour of petitioners 2 and 3. Thereafter, they have cheated the defacto complainant. When the same was questioned, the petitioners abused the defacto complainant in filthy language and also threatened her with dire consequences. Hence, the complaint.

3. The learned counsel for the petitioners would submit that the sale deed is a valid document. The defacto complainant and his family members, with a malafide intention to sell the property to some other third parties and to grab the same from the petitioners, a false case has been foisted against the petitioners. He would further submit that it is a civil dispute which has been given a criminal colour. The petitioners are innocents and they have not committed any offence as alleged by the prosecution. He would further submit that the petitioners shall abide any conditions imposed by this Court and they may be granted anticipatory bail.

4.The learned Government Advocate (Crl.Side) would submit that the petitioners have not sold the properties as assured by them and also cheated the defacto complainant and the investigation in this case is at the preliminary stage and the custodial interrogation of the petitioners is very much necessary. Hence, he storngly opposed for grant of anticipatory bail to the petitioners.

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

6. Considering the seriousness and gravity of the offence and also the facts that the investigation investigation is at the preliminary stage and the custodial interrogation of the petitioner is very much necessary as stated by the learned Government Advocate (Crl. side), this Court is not inclined to grant anticipatory bail to the petitioner.

7.Accordingly, this Criminal Original Petition is dismissed.

sd/-

10/10/2022

/ TRUE COPY /

/10/2022

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



TO

1 THE INSPECTOR OF POLICE
ANTI LAND GRABBING SPECIAL CELL, DISTRICT
CRIME BRANCH POLICE STATION,
TRICHIRAPPALLI DISTRICT.

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

+1 CC to M/s.H.LAKSHMI SHANKAR, Advocate (SR-11181[I] dated
11/10/2022)

+1. CC to M/S.VISHNUVARDHAN.S Advocate SR.No.49043.

ORDER

IN

CRL OP(MD) No.14936 of 2022

Date :10/10/2022

CP

MK/SSS/SAR.I/31.10.2022/3P/5C