



WEB COPY

CRL OP(MD). N



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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 14/11/2022

PRESENT

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

CRL OP(MD) . No.20093 of 2022

1. Padmanabhan

2. Sathishkumar

3. Anguraj

4. Chandran

5. Kulanthaiselvam ... Petitioners/Accused Nos. 1, 2 & 4 to 6
Vs

The State Rep.by
The Inspector of Police,
District Crime Branch,
Virudhunagar District.
(Crime No.29 of 2022) ... Respondent/Complainant

For Petitioners : M/s.Sikkandar Ali.S,
Advocate.

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

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

PRAYER :-

For Anticipatory Bail in Crime No.29 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 120(B),
406, 420 and 465 of IPC, in Crime No.29 of 2022, seek anticipatory
bail.



2.The case of the prosecution is that the defacto complainant approached the first accused for purchasing property and he showed a property in Madurai, which belongs to Nacharammal Trust and he is having power of the property and introduced A4 and A5 saying that they are Chairman and Secretary of the above said trust. On 11.01.2021, the accused went to the defacto complainant's house and made a sale agreement and a sum of Rs.50,00,000/- was received by all the accused and again received a sum of Rs.20 lakhs on 16.07.2021. After that the first accused did not register the said property to the defacto complainant. On 29.09.2021, When the defacto complainant and her brother went to the accused house and asked to return back the money, all the accused abused them in filthy language and criminally intimidated them. Hence, the complaint.

3. The learned counsel for the petitioners would submit that the petitioners are innocents and they did not commit any offence as alleged by the prosecution. They are falsely implicated in this case. He would further submit that the petitioners shall abide any condition imposed by this Court and they may be granted anticipatory bail.

4.The learned Government Advocate (Crl.Side) would submit that the petitioners and other accused cheated the defacto complainant to tune of Rs.70,00,000/-. He would further submit that the investigation in this case is at preliminary stage and the custodial interrogation of the petitioners are very much necessary. Hence, he strongly opposed for grant of anticipatory bail to the petitioner.

5.Considering the nature and gravity of the offence and considering the fact that huge amount involved in this case and the investigation is at preliminary stage and the custodial interrogation of the petitioners are very much necessary as stated by the learned Government Advocate(crl.side), this Court is not inclined to grant anticipatory bail to the petitioners.

6.Accordingly, this Criminal Original Petition is dismissed.

sd/-

14/11/2022

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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,
District Crime Branch,
Virudhunagar District.

2.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

ORDER

IN

CRL OP(MD) No.20093 of 2022

Date :14/11/2022

RK/BUC/SAR- (28/11/2022) 3P 3C