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Crl.MP.No2022 of 2023

Crl.MP.No.2022 of 2023
in
Crl.OP.No.688 of 2023

T.V.THAMILSELVI,J.

The present petition has been filed to modify the condition imposed on the petitioner in Paragraph No.6(b) of the order dated 11.01.2023 passed by this Court in Crl.O.P.No.688 of 2023 while granting anticipatory bail.

2. The learned counsel for the petitioner has submitted that the condition imposed on the petitioner is that the defacto complainant was permitted to withdraw the conditional deposit amount of Rs.50,000/- on filing undertaking and proper identification and acknowledgment. He further submitted that the defacto complainant's wife is the owner of the property, she had entered a sale agreement with petitioner on 30.06.2015, the same was registered at SRO Komarapalayam and agreed total sale consideration is Rs.35,00,000/- further on the date of agreement the defacto complainant's wife owner of the property had received a sum of Rs.25,00,000/- as advance. Further, the defacto complainant demanded more money for executing sale deed, the petitioner was not inclined and demanded to return the advance along with damages. After negotiation, the defacto



complainant's wife had cancelled the sale agreement with the petitioner. He further submitted that the defacto complainant had entered a new sale agreement with the petitioner's wife. No charge sheet has been filed against the petitioners. Hence, he seeks modification.

3. Heard the learned Government Advocate (Crl. Side) appearing for the respondent police.

4. Taking into consideration, the facts and the submissions made by both counsel and also taking note of the fact that the property of the defacto complainant's property was mortgaged and subsequently, executed a sale agreement with respect of the same property. Hence, this court is not inclined to relax the condition as against the petitioner.

5. Accordingly, this Criminal Miscellaneous Petition is dismissed. However, two weeks time is extended from the date on which the order copy ready to comply with the condition as imposed on the petitioner.

Vv

14.02.2023



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Vv/rap

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