



Crl.O.P.No.8211 of 2023

Crl.O.P.No.8211 of 2023
and Crl.M.P.No.5781 of 2023

RMT.TEEKAA RAMAN, J.

The petitioner, who apprehends arrest at the hands of the respondent police for the offence punishable under Sections 464, 465, 467, 468, 471, 406, 420, 506(i) r/w 34 of IPC in Crime No.37 of 2023 on the file of the respondent police, seeks anticipatory bail.

2.The case of the prosecution as per the defacto complainant/Mohammed Ashraf Buhari is that he is a seaman/sailor by profession and the petitioner is close relative. The petitioner along with her wife had induced him to invest money in real estate business assuring that lands would be purchased in his name and that he would get huge profits. Believing the same, the defacto complainant, over the period from 2021, had given a sum of Rs.2,26,00,000/- to the petitioner, but the petitioner has not invested the amount as promised and had cheated him. Hence the case.

3.There is no representation for the petitioner either in person or through counsel.



Crl.O.P.No.8211 of 2023

WEB COPY

4. The learned Government Advocate for the respondent Police would submit that this is the second application for anticipatory bail filed by the petitioner and the earlier application was dismissed by this Court in Crl.O.P.No.4617 of 2023 on 06.03.2023 on the ground that the petitioner has not made out a case for grant of anticipatory bail. He would further submit that there is no change in circumstances of the case and hence, he prayed for grant of dismissal of the petition.

5.The learned counsel for the intervenor would vehemently oppose for grant of anticipatory bail to the petitioner stating that the petitioner in order to cheat the defacto complainant and project as a civil dispute has filed a civil suit before the Court based on fabricated documents. He would further submit that the earlier application for anticipatory bail was dismissed by this Court by observing all the facts and circumstances of the case. He would also submit that the petitioner only only involved in fraudulent activities, but also filed fabricated documents before the trial Court and interfering with the administration of justice. Hence, he would seek for dismissal of the petition.



CrI.O.P.No.8211 of 2023

WEB COPY

6. Heard the learned counsel for the intervenor as well as the learned Government Advocate and perused the materials available on record including the FIR.

7. Taking into consideration the facts and circumstances of the case and the submissions made by the learned Government Advocate (crl.side), this Court is of the opinion that the petitioner has not made out a case for grant of anticipatory bail and further, there is no change of circumstances, this Court is not inclined to grant of relief to the petitioner.

8. Accordingly, this Criminal Original Petition is dismissed. Consequently, connected Miscellaneous Petition is closed.

10.08.2023

vkr



WEB COPY



Crl.O.P.No.8211 of 2023

RMT.TEEKAA RAMAN, J.

vkr

Crl.O.P.No.8211 of 2023
and Crl.M.P.No.5781 of 2023

10.08.2023