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Crl.O.P.No.13625 of 2023

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Reserved On	08.09.2023
Pronounced On	19.09.2023

RMT.TEEKAA RAMAN, J.

It is a case of bogus DD fraud. The petitioner/A2, who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 34 and 420 of IPC in Crime No.0002 of 2023, seeks anticipatory bail.

2. The case of the prosecution is that the *de-facto* complainant had a business relationship with A1/Kalidoss for the purchase of land at Guduvanchery worth about Rs.10 Crores, for which A1 has promised to arrange for a loan and for the said loan, he has paid the commission of Rs.33,75,000/- to A1 and thereafter, he had cheated the *de-facto* complainant.

3. The learned counsel for the petitioner would contend that A1 was arrested and released on bail by the learned Chief Judicial Magistrate, Puducherry. Hence, he seeks for grant of anticipatory bail to the petitioner.

4. The learned Public Prosecutor (Puducherry) would contend that it is a case of showing fake DD for procuring the



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alleged bank loan for the purpose of business transaction. Based upon the complaint, it was investigated by the investigation officer and on the promise of getting Rs.10 Crores, they have shown a fake DD of Rs.60 Crores and another DD for Rs.10 Crores. Believing the same, the *de-facto* complainant has paid Rs.33,75,000/- and thereafter, he has not arranged for the loan nor paid the amount received. A1 was apprehended and arrested and the car used by A1 was also seized and two DD's in the name of Kalidoss, one for Rs.60 Crores and another for Rs.10 Crores which is found to be bogus.

5. This petitioner has specific overt act in taking a portion of the commission amount. After perusing the order passed by the learned Chief Judicial Magistrate, I am not expressing any view except to say that the learned Chief Judicial Magistrate, Puducherry shall be more diligent and sincere in future while granting bail for these kind of sensitive issues and shall discharge his judicial duties with all sincerity and seriousness to the complaints made.

6. Considering the overt act, nature and the gravity of the



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offence and preliminary stage of the investigation, I am not inclined to grant anticipatory bail to the petitioner. Accordingly, this Criminal Original Petition is dismissed.

19.09.2023

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