



Crl.O.P.No.17559 of 2023

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WEB C **RMT.TEEKAA RAMAN, J.**

The petitioners, who apprehend arrest at the hands of the respondent police for the alleged offence under Sections 406 & 420 of IPC, in Crime No. 21 of 2023 on the file of the respondent police, seek anticipatory bail.

2. The case of the prosecution is that the petitioners are running a construction and real estate business in the name and style of Super City Construction. While so, they approached the defacto complainant for investment to purchase and develop the house sites and to share the profit. Accordingly, believing the words of the 1st petitioner the defacto complainant paid a sum of Rs.33 Lakhs, as they show the agreement for purchase of the land. Subsequently, the defacto complainant was informed to present before the Sub-Registrar Office for registration of land on four occasions, but due to some dispute between the land owners and the petitioners herein the registration was not took place. Hence, when the defacto complainant requested the petitioners to repay the amount the petitioners evaded to pay



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the amount with extraneous reasons and refused to pay the same. Hence, the complaint.

3. The learned counsel for the petitioners would submit that the petitioners are innocent persons and they have been falsely implicated in this case. He would further submit that the 1st petitioner approached one Kannan and entered into a sale agreement for purchase of 4.09 acres of land. Out of the same 2 acres in the name of the 2nd petitioner and 2.09 acres in the name of the defacto complainant's wife Mrs. Rishivarthini. They were also agreed. Subsequently, the defacto complainant has not paid the agreed amount to complete the transaction and thereby the land owner refused to execute the sale. He would also submit that the petitioners are ready to abide by any condition imposed by this Court. Hence, he prays for grant of anticipatory bail to the petitioners.

4. Per contra, the learned Government Advocate (CrI. Side) for the respondent would submit that there are totally two accused in this case in which, the petitioners are arrayed as A1 and A2. He would further submit



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that the petitioners, in order to register the property in favour of the defacto complainant, have received a sum of Rs.33 lakhs from the defacto complainant and thereafter, they never execute any sale deed and refused to repay the amount. Hence, he vehemently opposed to grant anticipatory bail to the petitioners.

5. Considering the facts and circumstances and also taking into consideration the nature and gravity of offence committed by the petitioners, I am not inclined to grant anticipatory bail to the petitioners.

6. Accordingly, this Criminal Original Petition is dismissed.

08.09.2023

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