



Crl.O.P.Nos.19781, 21594, 21243, 22231 of 2023

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and Crl.MP Nos.16280 of 2023, 16281 of 2023, 16283 of 2023 and
16562 of 2023

C.V.KARTHIKEYAN, J.

The 1st Accused in Crime No.110 of 2023 filed Crl OP No.19781 of 2023, the 2nd and 3rd accused in the same Crime Number has filed Crl OP No.21594 of 2023, the 6th accused in the same Crime number has filed Crl OP No.21243 of 2023 and the 7th accused had filed Crl OP No.22231 of 2023. The defacto complainant had also entered appearance by filing intervening applications. The intervening applicants are permitted to be heard.

2. The case of the prosecution is that the defacto complainant was in need of money and had approached the accused 2 and 3, who then took her to the 1st accused. It is alleged that the 1st accused has a series of cases pending against him and there was also a necessity to detain him under Act 14 of 1982. It is stated that the Defacto complainant had been lent a loan of Rs,15,00,000/- though during the course of arguments, the



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learned counsel stated that it is 25/- lakhs. As a quid pro quo, the Defacto complainant had executed a Power of Attorney in favour of the 1st accused. Using that particular power of attorney, it is seen that the 1st accused has sold the property to the 4th accused. It must be stated that the property, is situated at Plot No.12, Pillaiyar Koil Street, Guindy, Chennai 600 032, in Survey No.71 in Velacherry Village, measuring 819 Sq.ft together with 2400 Sq.ft. building in the ground, 1st and 2nd Floor. This particular property had been purchased by the defacto complainant in the year 2002 by a document registered as document No.2633 of 2002 in the office of the Sub-Registrar at Velacherry. This borrowal of Rs.15,00,000/- from the 1st accused was in the year 2017. Thereafter, it is stated that the 1st accused had opened a savings bank account with Axis Bank, Anna Nagar Branch. It would be pertinent to point out that the 7th accused was the Manager in that particular branch in that particular bank at that particular point of time. It is alleged that several signatures in blank cheques were obtained by the officials of the Axis Bank, pointing out the role of the 7th accused. It is also stated that a mortgage deed was also demanded and thereafter, the mortgage deed was actually executed by deposit of title deeds and this was also registered.



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3. The case of the prosecution is that the 7th accused had changed the mobile number in the records of the bank to ensure that the one time password/OTP is diverted to yet another mobile number and thereby amounts have been withdrawn. All these complex transactions had only put the defacto complainant into more and more debts. She lost her property. She borrowed money and she became a debtor and had to repay the money for the property which had gone once and for all. She was left with no property and left with no money. All these factors require that substantial investigation has to be done with regard to the modus operandi. It is contended by the learned Senior counsel appearing for the 7th respondent that the 7th respondent had since shifted to Mumbai and has nothing more to do with Axis Bank. But it is the role which she had played in the Axis Bank which has to be explained and therefore, no credence can be given to the fact that she had shifted to Mumbai. All these aspects require deep investigation. The trail of money would have to be examined. It will have to be further examined to see if any further encumbrance had been created. Owing to all these factors, this Court is not inclined to grant anticipatory bail to the petitioners. These Criminal



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Original Petitions are dismissed.

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20.10.2023

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