



Crl.O.P.No.21254 of 2023

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**G.CHANDRASEKHARAN.J.**

The petitioner, B.Vinod Kumar, who apprehends arrest at the hands of the respondent police for the alleged offence under Sections 420 & 406 IPC, in Crime No.447 of 2023, on the file of the respondent police seeks anticipatory bail.

2.The learned counsel for the petitioner submitted that petitioner is falsely implicated in this case on the allegation that petitioner received a sum of Rs.15,00,000/- from the defacto complainant on the promise of selling the land. But, after receiving the amount, it turned out that the property alleged to have been offered for sale does not belong to the alleged owner one Veerasamy. Petitioner has not received any money from the defacto complainant. Apprehending arrest, this petition is filed.

3.In response, the learned Government Advocate (Crl.Side) submitted that petitioner along with other accused cheated the defacto complainant and received a sum of Rs.15,00,000/- on the promise of selling a land to an extent of 3600sq.ft. at Kathirvedu village. He further submitted that



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investigation in this case is pending.

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4.Considered the rival submissions and perused the records.

5.This is second anticipatory bail petition. Earlier anticipatory bail petition in Crl.O.P.No.15144 of 2023 was dismissed on 12.07.2023, for the reason that investigation in this case is not completed. Now, it is submitted by the learned Additional Public Prosecutor that there is no progress made in the investigation for the reason that all the accused are absconding. It is a case where defacto-complainant was cheated to the tune of Rs.15,00,000/- on the basis of sale of property for which the petitioner had no title. Since, petitioner and other accused are absconding, there is no progress made in this case.

6.Considering the nature, facts and circumstances of the case, that the amount said to have been cheated is not recovered for the reason that accused are absconding, securing accused is absolutely necessary for



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making progress in this case, this Court is not inclined to grant anticipatory bail to the petitioner.

7. Accordingly, this Criminal Original Petition is dismissed.

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