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Crl.M.P.No.16371 of 2023

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IN
Crl.O.P.No.17283 of 2023

C.V.KARTHIKEYAN, J.

The petition has been filed seeking to cancel the anticipatory bail granted to the respondents Nos. 2, 3 and 4 by an order dated 09.08.2023 in Crl.O.P.No. 17283 of 2023.

2. The first accused is the husband of the petitioner herein. He is not arrayed as respondent and he has not been granted anticipatory bail. The respondent Nos. 2, 3 and 4 are his parents and the sister.

3. It is the grievance expressed by the learned counsel for the petitioner herein that the petitioner/wife of the first accused was possessed of property of substantial value at Gudiyatham. It was stated that the first, second and fourth respondents herein convinced her that the property could be sold and yet another property could be purchased in her name. Trusting their words, it is stated that she had executed a sale deed but the entire sale consideration running to more than Rs. 1 crore, had been taken away by the accused persons. It was under those circumstances that she had lodged a complaint consequent to which FIR in Cr.No. 10 of 2023 had been registered under Sections 294(b), 323,



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406, 420, 498(A) and 506(i) IPC and Section 4 of Dowry Prohibition Act.

4. The second to fourth respondents herein had filed applications seeing anticipatory bail and that was granted in Crl.O.P.No. 17283 of 2023 by an order dated 09.08.2023. That particular order is sought to be cancelled since the respondents had not kept up their obligation to part with the sale consideration gained by them through the sale of the property which stood in the name of the petitioner. It is further alleged that they had also utilised that particular sale consideration to purchase yet another property in their name again excluding the petitioner.

5. It is today represented by the learned Government Advocate (Crl.Side) that the investigation has now been transferred to All Women Police Station at Ambur in Tirupattur District.

6. The learned counsel for the petitioner had forwarded a copy of what he termed as an undertaking dated 27.06.2023 given by the first accused to the Inspector of Police, All Women Police Station, Gudiyatham, who had registered the FIR undertaking to monetarily compensate the petitioner for her loss.



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7. In view of that fact, at this juncture, let me not pass orders cancelling anticipatory bail but grant one more opportunity to the accused persons to express their bona fide by co-operating with the investigation to be conducted by the Inspector of Police, All Women Police Station, Ambur.

8. A direction is given to the Inspector of Police, All Women Police Station, Ambur, to examine the records relating to the case in Cr.No. 10 of 2023, All Women Police Station, Gudiyatham, Vellore District and examine whether the accused therein have complied with the conditions of anticipatory bail and whether it requires to be cancelled and if so take necessary steps. Since the first accused has neither obtained anticipatory bail nor had been secured, necessary steps may also be taken if not already taken.

9. The Inspector of Police, All Women Police Station, Ambur, may also examine the possibility of impressing upon the jurisdictional Court to refer the parties to court attached mediation.

10. This Criminal Original Petition stands dismissed with the above observations but giving right to the petitioner to once again approach the Court if need arises.

08.12.2023

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