



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)

Friday, the Ninth day of June Two Thousand and Twenty Three

PRESENT

The Hon`ble Mr.Justice G.K.ILANTHIRAIYAN

CRL MP(MD) No.4800 of 2023
IN
CRL OP(MD) No.15757 of 2022

FATHIMA RAMEEZA

... PETITIONER/INTERVENER

Vs

1 PRABHA

...1ST RESPONDENT/PETITIONER

2 THE STATE REP. BY
THE INSPECTOR OF POLICE,
DISTRICT CRIME BRANCH,
NAGERCOIL,
KANYAKUMARI DISTRICT.
(CRIME NO.31/2022)

...2ND RESPONDENT/RESPONDENT

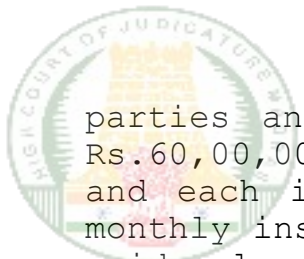
Petition filed praying that in the circumstances stated therein and in the petition filed therewith the High Court may be pleased to Cancel the Bail granted to the 1st respondent / Petitioner in Crl OP(MD) No.15757/2022 dt.14.10.2022 on the file of this Hon'ble Court.

Order : This petition coming up for orders on this day, upon perusing the petition filed in support thereof and upon hearing the arguments of M/S.RAJESHWARAN.K, Advocate for the petitioner and of M/S.R.ANAND, Advocate for R1 and M/S.B.THANGA ARAVINDH, Government Advocate(Crl.Side) for R2, the court made the following order:-

This petition has been filed to cancel the bail granted to the accused in Crl.O.P.(MD)No.15757 of 2022, dated 14.10.2022.

2.The case of the prosecution is that the de-facto complainant paid a sum of Rs.1 crore in various installments in order to get job for the post of Assistant Public Relation Officer. However, after receipt of the same, the accused failed to get any job and also refused to return the amount. Hence, the complaint.

3.According to the accused, the accused and the petitioner are real estate partners and both invested money in the business. While pending investigation, there was a compromise between both the



parties and accordingly, the accused had agreed to pay Rs.60,00,000/- towards full and final settlement in 13 instalments and each instalments Rs.5,00,000/-. However, the accused had paid monthly instalments as Rs.2,50,000/- and Rs.2,00,000/- sofar. But he paid only a sum of Rs.23,00,000/- out of Rs.60,00,000/-. In fact the accused was arrested and remanded to judicial custody on 23.07.2022 and thereafter, he was released on bail on 14.10.2022.

4.On perusal of the bail order passed by this Court, it revealed that as per the compromise entered between the parties, this Court has considered and granted bail.

5.However, today, the learned counsel for the first respondent/accused would submit that the first respondent/accused is ready and willing to comply with the compromise entered between them within a period of six months.

6.Considering the above facts and circumstances of the case and also considering the submissions made by the learned counsel for the first respondent/accused, this Court is not inclined to cancel the bail granted to the accused.

7.Hence, this Criminal Miscellaneous Petition stands dismissed.

sd/-

09/06/2023

/ TRUE COPY /

/06/2023

Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

SJI

TO

1 THE JUDICIAL MAGISTRATE NO.I, NAGERCOIL.

2 DO-THROUGH :THE CHIEF JUDICIAL MAGISTRATE,
KANYAKUMARI DISTRICT AT NAGERCOIL.

3 THE INSPECTOR OF POLICE,
DISTRICT CRIME BRANCH,
NAGERCOIL, KANYAKUMARI DISTRICT.

4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1. C.C. to M/S.RAJESHWARAN.K Advocate SR.No.27243 (F) Dt.9/6/2023

ORDER IN

CRL MP(MD) No.4800 of 2023

IN CRL OP(MD) No.15757 of 2022

Date :09/06/2023

SA/CG/SAR. /22.06.2023/2P/6C

<https://www.mhc.tn.gov.in/judis>