



WEB COPY

CRL OP(MD).



23

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 01/06/2023

PRESENT

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

CRL OP(MD) . No.8448 of 2023

1. Ganesha Pandian
2. Rajeshwari

... Petitioners/Accused No.2 & 3

Vs

State Rep.by
The Inspector of Police,
Koodal Pudur Police Station,
Madurai District.
Crime No.207/2023.

... Respondent/Complainant

For Petitioners : Mr.S.Ramasamy,
Advocate.
For Respondent : Mr.R.M.Anbunithi,
Additional Public Prosecutor
For Intervenor : Mr.S.Poornachandran, Advocate

PETITION FOR ANTICIPATORY BAIL Under Sec.438 of Cr.P.C

PRAYER :-

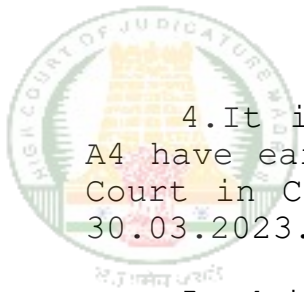
To enlarge the petitioners on bail in event of their arrest in Crime No.207 of 2023 on the file of respondent police.

ORDER : The Court made the following order :-

The petitioners/A2 and A3, who apprehend arrest at the hands of the respondent police for the offences punishable under Sections 406, 420 and 506(1) of I.P.C., in Crime No.207 of 2023 on the file of the respondent police, seek anticipatory bail.

2.The case of the prosecution is that the petitioners along with other accused cheated the de-facto complainant to the tune of Rs.7,00,000/-. Hence, the complaint.

3.The learned counsel for the petitioners would submit that the petitioners are arraigned as subsequent accused, in which, the first accused had entered into an agreement with the other victims and had received money. Therefore, the petitioners are nothing to do with the crime as alleged by the prosecution.



4.It is seen from the records that the petitioners along with A4 have earlier moved application for anticipatory bail before this Court in Crl.O.P.(MD)No.5972 of 2023 and the same was dismissed on 30.03.2023.

5.Admittedly, the petitioners along with other accused persons had owned the house property and they have also advertised in order to lease out the said property. On seeing the advertisement, the victims entered into an agreement for lease and paid a sum of rupees nearly 1.5 crores. The accused persons had received money separately from each of the victims and entered into the agreement for lease. Thereafter, they failed to handover the possession of the property. That apart, the said house property was already attached by the bank. Therefore, the custodial interrogation of the petitioners is very much required in this case. Hence, this Court is not inclined to grant anticipatory bail to the petitioners.

6.In the result, the Criminal Original Petition is dismissed.

sd/-

01/06/2023

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/06/2023

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

SJI

TO

1 THE INSPECTOR OF POLICE, KOODAL PUDUR POLICE STATION,
MADURAI DISTRICT.

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

ORDER

IN

CRL OP(MD) No.8448 of 2023

Date :01/06/2023

RS/CG/SAR-(02.06.2023) 2P 3C