



WEB COPY

CRL OP(MD). N



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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 14/03/2023

PRESENT

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

CRL OP(MD). No.21864 of 2022

1. A.G.Sankar Ganesan
2. S.Mahalakshmi

... Petitioner

Vs

State Rep.by
The Inspector of Police,
Aruppukottai Town Police Station,
Aruppukottai, Virudhunagar.
(Crime No.126/2021)

... Respondent

Hariprasath ... Petitioner/Intervener/Defacto Complainant
in CRL MP(MD).1534/2023 in CRL OP(MD).21864/2022

For Petitioners : M/s.Jeyaram.A, Advocate.
For Respondent : Mr.R.M.Anbunithi,
Additional Public Prosecutor
For Intervenor : Mr.P.Edin Brough, Advocate

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

PRAYER :-

For Anticipatory Bail in Crime No.126 of 2021 on the file of the Respondent Police.

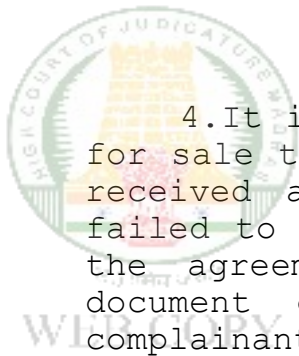
ORDER : The Court made the following order :-

The petitioners/Accused who apprehend arrest at the hands of the respondent police for the offences punishable under Sections 406, 417, 420, 467, 468 and 120(B) of I.P.C., in Crime No.126 of 2021 on the file of the respondent police, seek anticipatory bail.

2.The case of the prosecution is that the petitioners had entered into an agreement for sale their property with the de-facto complainant and they also received a sum of Rs.1,40,00,000/- as advance. Thereafter, they failed to execute any sale deed as per the agreement and cheated the de-facto complainant. Hence, the case.

3.Heard. Perused the materials available on record.

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



4.It is seen that the petitioners had entered into an agreement for sale their property with the de-facto complainant and they also received a sum of Rs.1,40,00,000/- as advance. Thereafter, they failed to execute any sale deed to the de-facto complainant as per the agreement. Thereafter, they also handed over one original document of the other property as security to the de-facto complainant. In the meantime, the petitioners sold out the property in favour of the third party. Subsequently, they also mortgaged the property with the bank and availed sum loan. Though the de-facto complainant has filed a suit for specific performance in O.S.No.239 of 2019 and it is pending on the file of the Principal District Munsif Court, Aruppukottai, Virudhunagar District, the petitioners have committed serious offence and cheated the de-facto complainant to the tune of Rs.1,40,00,000/-. Therefore, the custodial interrogation of the petitioners is very much necessary in this case.

5.Taking note of the serious allegations made against the petitioners, this Court is not inclined to grant anticipatory bail to the petitioners.

6.In this result, this petition is dismissed.

sd/-

14/03/2023

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/03/2023

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

SJI

TO

- 1 THE INSPECTOR OF POLICE
ARUPPUKOTTAI TOWN POLICE STATION,
ARUPPUKOTTAI, VIRUDHUNAGAR.
- 2 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.

ORDER

IN

CRL OP(MD) No.21864 of 2022

Date :14/03/2023

RS/SBN/SAR-2 (27.03.2023) 2P 3C