



Crl.O.P.No.1252 of 2024

WEB C **C.V.KARTHIKEYAN,J.**

The petitioner seeks bail in Crime No.27 of 2023, registered by the respondent originally for the offences under Sections 420, 294(b) and 506(1) of IPC and subsequently altered to Sections 420, 294(b), 506(1), 465, 468 and 471 of IPC. The petitioner had been remanded to judicial custody on 16.12.2023.

2.It is the case of the prosecution that the petitioner had stated that he is the owner of two plots namely Plot Nos.5 and 6 at “A” Kattupadi Village both measuring 1500 sq ft., each. It is stated that the defacto complainant had paid a sum of Rs.19,50,000/- as advance sale consideration. It is stated that however the petitioner did not come forward to execute the sale deed. On the face of it, it would be an issue which has to be agitated before the civil forum seeking specific performance of the agreement but it turned into a criminal matter once the petitioner is alleged to have criminally intimidated the defacto complainant. In those circumstances, originally the complaint was registered under Sections 420, 294(b) and 506(1) of IPC. Thereafter, it was found that the petitioner was not at all the owner of the said plots and therefore, can never execute any sale



deed. It was under those circumstances, further offences under Sections 465, 468 and 471 had been added to the list of offences.

3.The learned Government Advocate (Crl. Side) for the respondent stated that the FIR had been registered and at that time, the petitioner had filed an application for anticipatory bail and a learned Single Judge of this Court had directed notice to be issued under Section 41-A of Cr.P.C., and when notice was issued the petitioner did not turn up for enquiry. Thereafter, he had been remanded to custody.

4.It is stated that one further complaint had been received from one P.Sundaresan who had lodged a complaint on 18.12.2023 stating that he had been similarly cheated to a sum of Rs.16,00,000/- by the accused.

5.Taking into consideration the fact that investigation will have to be done on all these aspects, I am not inclined to grant bail to the petitioner herein. Accordingly, this Criminal Original Petition is dismissed.

06.02.2024

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