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Crl.O.P.No.7618 of 2023

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T.V.THAMILSELVI, J.,

The petitioners, who apprehend arrest at the hands of the respondent police for the alleged offences punishable under Sections 406 and 420 of IPC in Crime No.533 of 2022, on the file of the first respondent, seek anticipatory bail.

2. The case of the prosecution is that defecato-complainant and these petitioners are family friends. As such the complainant and her sister gave money to the tune of Rs.18,20,000/- for the purpose of purchasing a property at Madipakkam and in the year 2020 a sum of Rs.14,00,000/- was given by the Defacto-complainant and a sum of Rs.6,20,000/- was paid by sister of defacto-complainant to the petitioners. But, the petitioners did not purchase any property and not returned the money to the defacto-complainant. When the defacto-complainant asked about the money, they abused in filthy language and also intimidated with dire consequences. Hence the compliant.



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3. The learned counsel appearing for the petitioner submitted that the petitioners borrowed a sum of Rs.6,00,000/- and the defacto-complainant received exorbitant interest and almost they paid Rs.12,00,000/-. The defacto-complainant lodged a false complaint and alleged that petitioners availed money for purchasing property at Ram Nagar. The said allegation is false, frivolous and vexatious. The petitioners are innocent person and they had not committed any offence as alleged by the prosecution and they have been falsely implicated in this case. Hence, he prays to grant anticipatory bail to the petitioners.

4. The learned Government Advocate (Crl.Side) appearing for the respondent raised objection and stating that Accused No.1 and 2 are the mother and daughter. They have borrowed money from the defacto-complainant and they will not repaid the said amount. In so far, no recovery from the petitioners.

5. The learned counsel for the intervenor also appeared and raised strong objection to grant anticipatory bail to the petitioners since the petitioners have cheated huge amount from the defacto complainant.



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6. Heard the learned counsel for the petitioners, learned counsel for the intervenor and also the learned Government Advocate (Crl.Side) for the respondent and perused the entire materials available on record.

7. Considering the facts and circumstances of the case and the submissions made by the counsels and on considering the gravity of offence, this Court is not inclined to grant anticipatory bail to the petitioners.

8. Accordingly, this Criminal Original Petition is dismissed.

31.07.2024

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