



Crl.O.P.No.9255 of 2024

T.V.THAMILSELVI, J.

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This Criminal Original Petition has been filed by the petitioner (A2), aged about 63 years, who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 420 and 406 of IPC in Crime No.702 of 2023 on the file of the respondent, seeks anticipatory bail.

2. Learned counsel for the petitioner submitted that the petitioner, aged about 63 years is an innocent person and an Advocate by profession. He further submitted that the petitioner is no way connected with the alleged offence and no such sale deed was executed by the de facto complainant in favour of the petitioner. He also submitted that on 02.05.2023, the de facto complainant had entered into the sale agreements with the petitioner for selling his lands in site No.137 and 138, however, those agreements were not enforced and cancelled on 29.05.2023, whereas, a false complaint has been lodged against him. He further submitted that the petitioner is ready to abide by any stringent conditions that may be imposed by this Court. Hence, prayed for grant of anticipatory bail to the petitioner.



3. Learned Government Advocate (Crl.Side) raised objection for granting anticipatory bail to the petitioner/A2 stating that it is the case where the accused had induced the de facto complainant and executed the sale deed in respect of the properties belonging to the de facto complainant, in their favour and obtained the documents relating to the title of the property and cheated him by not paying the sale consideration and the petitioner herein, who is an Advocate by profession, is the master mind behind this offence. He also submitted that the investigation is not yet completed.

4. Learned counsel for the intervenor submitted that the accused, with an intention to defraud the de facto complainant and to claim right over his properties, induced him and executed the sale deed in favour of A2, however, the sale consideration for a sum of Rs.33,20,000/- for the alleged sale of the property was not made to the de facto complainant. He further submitted that the petitioner herein/A2, who is an Advocate by profession, is the key mind behind this crime and he has involved in similar type of offence. He also submitted that only on the instigation of this petitioner, the property was transferred to the name of the third person and the profits were received by A1 and A2, therefore, both of them are liable to compensate the de facto complainant. If the petitioner is enlarged on bail,



he could tamper the witness and escape from the clutches of law. Hence prayed for dismissal of the petition.

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5. Taking into consideration the facts and circumstances of the case and the submissions made by the learned counsel on either side, and taking note of the nature of the offence committed by the accused also considering the conduct of the petitioner, this Court feels that custodial interrogation is necessary in this case. Therefore, this Court is not inclined to grant anticipatory bail to the petitioner.

6. Accordingly, the Criminal Original Petition stands dismissed.

29.04.2024

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