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CrI.O.P.No.20994 of



CrI.O.P.No.20994 of 2024

**Judgment reserved on
04.09.2024**

**Judgment pronounced on
10.09.2024**

RMT. TEEKAA RAMAN., J.

This is the third anticipatory bail petition filed before this Court. the earlier anticipatory bail petition has been disposed of by me, as per the directions of the Hon'ble Supreme Court, the subsequent anticipatory bail petitions are also posted before me, by administrative orders of My Lord The Hon'ble Chief Justice.

2. The petitioner is the /first accused. The petitioner who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 294(b), 323, 406, 420, 498(A) and 506(i) of I.P.C and Section 4 of Dowry Prohibition Act, in Crime No.10 of 2023, seeks anticipatory bail.

3. The learned counsel for the petitioner submitted that the petitioner is an innocent person. He has been falsely implicated in this case. Hence, he prays to grant anticipatory bail to the petitioner.



4. Heard the learned counsel for the petitioner and the learned Government Advocate (crl.side) for the respondent police and perused the materials available on record.

5. After perusal of the available records, I find that the since the dispute was between the husband and wife, this Court referred the matter to Tamil Nadu Mediation and Conciliation Centre, High Court, Madras however the mediation failed. HMOP No.88 of 2023 filed by the petitioner/husband is pending before Sub Court, Tirupathur. This Court by order dated 09.08.2023 in CrI.OP No.17283 of 2023 dated 09.08.granted anticipatory bail to A2, A3 & A4 however relief for this petitioner was dismissed.

6. After hearing Mr.S.M.Loganthan, the learned counsel appearing for the petitioner for quite some time, the learned counsel would contend that in the sale of the property which stood in the name of the wife, accountable and unaccountable money wer involved and that was transmitted and subsequently regulated and hence the same cannot be aground for criminal cognizance and prayed for anticipatory bail.



7. Heard the learned counsel for the petitioner as well as the learned Government Advocate (crl.side) and perused the materials on record.

8. The prime allegation by the wife is that she sold the property for a sum of Rs.1,60,25,000/-. It is alleged that only at the instance of the petitioner/husband, she sold the property and handed over the entire sale proceeds to the petitioner/husband since he has promised to purchase another property in the name of the wife. However, the petitioner/husband purchased the property registered in his name instead in the name of his wife, as promised and subsequently filed HMOP No.88 of 2023 for divorce. After institution of divorce proceedings, the petitioner/first accused (husband of the defacto complainant) settled the said property to his sister to avoid attachment.

9. Considering the above facts, this Court has dismissed the anticipatory bail on the above occasions. After hearing Mr.S.M.Loganathan, learned counsel for the petitioner, though he tried to impress upon the court, there are allegations of countable and accountable money for the sale of property of the house and the sale deed speaks for itself. Since the matter is under investigation, I find that there is no change of circumstances in this case.



Hence, I am not inclined to grant anticipatory bail to the petitioner for the present, with a liberty to file fresh application after passage of time or change in circumstances.

10. Accordingly, this Criminal Original Petition is dismissed.

10.09.2024

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Pre-delivery Order in
Crl.O.P.No.20994 of 2024

10.09.2024