



Crl.O.P.Nos.24307, 24228 and 23387 of 2023

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C.V.KARTHIKEYAN, J.

The Accused A1 has filed Crl.O.P.No.24228 of 2023, the Accused A2 has filed Crl.O.P.No.24307 of 2023 and the Accused A3 has filed Crl.O.P.No.23387 of 2023 all in the same FIR in Crime No.18 of 2023 registered by the respondent police for the offences under Sections 406 and 420 IPC.

2. It is the contention of the defacto complainant that he and others were invited to invest money by all the three Petitioners/Accused and it was held out that if so invested, they would return double the amount invested. It is stated that the defacto complainant and his friends had handed over a total sum of Rs.25,00,000/- (Rupees Twenty Five Lakhs only) to the Accused. It is stated that neither was the said amount returned nor double the amount was returned. It is under those circumstances, the complaint was lodged and FIR had been registered.

3. The learned counsel for the Petitioners, who appeared through Video Conference stated that the Petitioners had been kidnapped from



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Palakkad and in this connection, they had also given a complaint which had been registered as FIR in Crime No.744 of 2023 under Sections 120(B), 323, 324, 342, 307, 363, 379, 392, 394, 420, 506(ii) IPC read with Section 34 IPC by Walayar Police Station.

4. With respect to this particular aspect, it is the specific contention of the learned Government Advocate (Criminal Side) that there had been an interaction between the two investigating officers and it is now disclosed that the investigating officer at Walayar Police Station would take necessary steps to close that particular complaint as benefit of correct facts. It is also informed that there is yet another FIR in Crime No.97 of 2023 registered by the DCB Perambalur, wherein, it is alleged that the Petitioners had collected a sum of Rs.7,00,00,000/- (Rupees Seven Crores only) from gullible persons using the same *modus operandi* as collected from the defacto complainant and his friends.

5. A memo had been filed to record the additional information, wherein, it had been stated by the Petitioners that though they had been granted bail by the Judicial Magistrate No.1, Perambalur in FIR in Crime



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No.97 of 2023, subsequently, that bail had been cancelled since the sureties had not been executed and the bail conditions had not been complied with.

6. Questioning that particular cancellation of bail, a Revision Petition has been filed and is now pending before this Court. But however, it is the specific case of the respondent that the Petitioners herein had collected money and had not returned the same. It must also be stated that the Accused A1 and A2, are spouses. With respect to the contentions raised about registration of two separate FIRs against the Petitioners herein, it is seen that two separate investigating agencies had registered two separate FIRs on the basis of complaints lodged by two separate set of complainants.

7. There were totally two different transactions and therefore, there is no overlap either on facts or on any other aspect and there is no irregularity in the registration of two separate FIRs. The facts store in the face of the Petitioners herein.



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8. A huge typed set of papers with several judgments had been filed but no reference had been made to any of those judgments during the course of the arguments by the learned counsel.

9. In view of the facts stated and recorded, I am not inclined to grant anticipatory bail to the Petitioners herein.

10. Accordingly, these Criminal Original Petitions stand dismissed.

14.03.2024

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