



Crl.O.P.No.26089 of 2024

A.D.JAGADISH CHANDIRA, J.

This Criminal Original Petition has been filed by the petitioner, who was arrested and remanded to judicial custody on 03.09.2024, seeking bail in Crime No.15 of 2024 for the alleged offences punishable under Sections 406, 407 & 420 of IPC read with Section 5 of the TANPID Act, 1997.

2. The case of the prosecution as per the defacto complainant viz., Bakkiyalakshmi is that the accused had falsely projected themselves as persons running Property Management and Development firm, had received a sum of Rs.10,00,000/- from the defacto complainant for leasing a house. Thereafter, the accused cheated them by fixing a house on rent and paying the advance to the house owner and misappropriated the balance amount and the defacto complainant. Hence the case.

3. Learned counsel appearing for the petitioner would submit that the petitioner is an innocent person and he is only an employee working in the Sun Homes Company, owned by the second accused Veeralakshmi and other than an employee, he has nothing to do with alleged offence. He would further submit



that the petitioner has been in custody from 04.09.2024 and the major part of the investigation is over, hence, he prayed for grant of bail to the petitioner stating that the petitioner is ready to abide by any stringent conditions that may be imposed by this Court.

4. Learned Government Advocate (Criminal Side) appearing for the respondent police, while opposing for grant of bail to the petitioner, would submit that the petitioner is the husband of the second accused, who is shown to be the proprietor of the A1 firm Sun Homes Property Management and Development. The petitioner along with his wife have cheated 168 persons in the similar manner and they have totally cheated victims to the tune of Rs.6,35,05,475/-. He would further submit that there are materials to show that the petitioner is the mastermind in the transactions and the entire amount cheated has been siphoned off and several properties have been purchased in his name and one of the property has also been sold to somebody. He would further submit that till date, only a car has been recovered and the respondent police is taking steps to attach the properties purchased by cheating the victims and if bail is granted to the petitioner, the petitioner at this state, there is a possibility of transferring the properties to third parties and he would object for grant of bail.



5. Leaned counsel for the intervenor would submit that the intervenor is one of the victim and the petitioner has not only cheated the persons like the defacto complainant, they have also cheated the house owners. He would further submit the the petitioner had inducted the persons stating to be on monthly rent and later, the intervenor came to know that the accused had defaulting amount of Rs.10,00,000/- as if it was for lease. He would further submit that the tenant is also now refusing to pay the rent and vacate the house and the intervenor has not received the alleged lease amount and she is also not able to collect the rents. Hence, he opposed for the grant of bail to the petitioner.

6. Heard both sides and perused the materials available on record .

7. Taking into consideration the facts and circumstances of the case, the petitioner along with other accused had cheated several persons to the tune of Rs.6,35,05,475/- and the petitioner has attempted to transfer properties to third parties and respondents are taking steps to attach these properties, this Court is of the opinion that if bail is granted to the petitioner at this stage, there is every possibility that the petitioner interfering with the investigation and transferring the properties. Therefore, this Court is not inclined to grant bail to the petitioner.



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8. Accordingly, the Criminal Original Petition stands dismissed for the present.

20.11.2024

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