



WEB COPY



Crl.O.P.No.27874 of 2023

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RMT.TEEKAA RAMAN, J.

The petitioner, who apprehends arrest at the hands of the respondent police for the offence punishable under Sections 406 & 420 of IPC, in Crime No.228 of 2023, on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that the petitioners along with other accused, in order to secure MBBS seat to the defacto complainant's son, have received totally a sum of Rs.66,00,000/- from the defacto complainant and thereafter, they neither secure any MBBS seat nor return the money. Hence, the complaint.

3. The learned counsel for the petitioner would submit that the petitioner is an innocent person and he has been falsely implicated in this case. He would further submit that the subject matter of the amount is Rs.66 lakhs, out of which, Rs.15 lakhs has been paid to the defacto complainant and a sum of Rs.51 lakhs is yet to be paid by the accused. According to A1,



Crl.O.P.No.27874 of 2023

he has received only Rs.3 lakh. Hence, he prays for grant of anticipatory bail to the petitioner.

4. The learned Government Advocate (Crl. Side) would submit that there are five accused in this case in which, the petitioner is arrayed as A5. He would further submit that the petitioner along with other accused had promised to get MBBS seat to the defacto complainant's son and received a sum of Rs.66 lakhs and thereafter, they have neither secured MBBS seat nor returned the money, thereby cheated the defacto complainant. Hence, he vehemently opposed to grant anticipatory bail to the petitioner.

5. By order dated 20.09.2023, this Court, taking note of the submissions made by the learned Government Advocate (Crl.Side), has dismissed the anticipatory bail petition to the petitioner. Hence, subsequent anticipatory bail petition is posted before this Court.

6. The learned Government Advocate (Crl.side) appearing for the respondent would submit that the petitioner along with other accused have promised to get MBBS seat to the *defacto* complainant and cheated a sum of



Crl.O.P.No.27874 of 2023

Rs.66,00,000/- out of which, Rs.15,00,000/- alone has been paid. He would further submit that the matter is under investigation.

7. After perusing the earlier order, this Court finds that there is no change of circumstances.

8. Hence, this Criminal Original Petition is dismissed.

21.02.2024

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