



CRL OP(MD) No.22884 of 2023

**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)**

Friday, the Twelfth day of January Two Thousand and Twenty Four

PRESENT

The Hon`ble Mr.Justice M.DHANDAPANI

CRL OP(MD) No.22884 of 2023

1 R.N.RAJAMARTHANDAN

2 R.N.JEYANTHI

... PETITIONERS / ACCUSED Nos. 1 & 2

Vs

**THE INSPECTOR OF POLICE
CITY CRIME BRANCH,
TIRUCHIRAPPALLI,
TIRUCHIRAPPALLI DISTRICT.
CRIME NO.12/2023.**

... RESPONDENT / COMPLAINANT

For Petitioner : MR.C.JEYA PRAKASH, Advocate

For Respondent : MR.P.KOTTAICHAMY, Govt. Advocate (Crl. Side)

PETITION FOR ANTICIPATORY BAIL Under Sec. 438 Cr.P.C.

PRAYER:

**FOR ANTICIPATORY BAIL IN CRIME NO.12/2023 ON THE FILE OF THE
RESPONDENT POLICE.**

ORDER : The Court Made the following order :-



CRL OP(MD) No.22884 of 2023

WEB COPY

The petitioners/ A1 & A2, who apprehend arrest at the hands of the respondent police for the alleged offence under Sections 406, 420, 465, 468 and 471 of IPC in Crime No.12 of 2023, seeks anticipatory bail.

2.The case of the prosecution is that the defacto complainant is aged about 87 years. Her husband was worked in the Railway Department as Chief Accountant. After retirement, he died on 16.11.2016. The only one son of the defacto complainant already died in the year 1997. The grand son and the daughter-in-law of the defacto complainant are settled at Chennai. Hence, the defacto complainant is living alone at Trichy. Taking the advantage of her loneliness, the petitioners, who are the relatives of the defacto complainant entered into the house of the defacto complainant and cheated the amount of Rs.1,65,90,920/- by forging the sign of the defacto complainant and also cheated 62 sovereigns of gold jewels and Silver articles worth about Rs.2,50,000/-. In the year 2021, the grand-son of the defacto complainant came to the house of defacto complainant. When he approached the concerned bank for withdrawal of money for renewing the house, which the defacto complainant is living, the above said forgery was came to know. Hence, the defacto complainant lodged a complaint before the Law Enforcing Agency.



CRL OP(MD) No.22884 of 2023

WEB COPY

3.The learned counsel appearing for the petitioners submitted that the petitioners have not committed any offence as alleged by the prosecution and they have been falsely implicated in this case. He further submitted that this is a second anticipatory bail petition. Earlier petition filed by the first petitioner in Crl.OP(MD) No.16188 of 2023 was disposed of by this Court on 07.09.2023 with a direction to the first petitioner to appear before the respondent for enquiry and also with a direction to the Investigating Officer to complete the investigation within a period of 15 days. He further submitted that no amount was cheated by the petitioner and no gold articles were stolen from the defacto complainant as alleged by the prosecution. The petitioners only given care and protection to the defacto complainant. Hence, he prays for grant of anticipatory bail to the petitioners.

4.The learned Government Advocate (Crl.Side) appearing for the State submitted that the petitioners are the relatives of the defacto complainant. Taking advantage of the loneliness of the defacto complainant, the petitioners cheated the amount of Rs.1,65,90,920/- by forging the sign of the defacto complainant and also cheated 62 sovereigns of gold jewels and Silver articles worth about Rs.2,50,000/-. In this case, huge amount was cheated by the petitioners from the defacto complainant and the investigation is not yet completed. Hence, he vehemently, opposed to grant



CRL OP(MD) No.22884 of 2023

anticipatory bail to the petitioners.

5.The petitioners are the relatives of the defacto complainant. The defacto complainant is aged about 87 years and her husband already passed away and her son also passed away. Since, the grand son and the daughter-in-law of the defacto complainant settled at Chennai, the defacto complainant alone is living at Trichy. Taking advantage of her loneliness, it is alleged that the petitioners cheated the amount of Rs.1,65,90,920/- by preparing bogus records in the Bank.

6. Considering the gravity of the offence, this Court is not inclined to grant anticipatory bail to the petitioners.

7.Accordingly, this Criminal Original Petition stands dismissed.

sd/-

12/01/2024

/ TRUE COPY /

/01/2024

Sub-Assistant Registrar

(C.S.I /II /III /IV)

Madurai Bench of Madras High Court,
Madurai - 625 023.

DSS

TO

1 THE INSPECTOR OF POLICE
CITY CRIME BRANCH,
TIRUCHIRAPPALLI,
TIRUCHIRAPPALLI DISTRICT.

<https://www.mhc.tn.gov.in/judis>



CRL OP(MD) No.22884 of 2023

WEB COPY

2 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1 CC to M/s.C.JEYAPRAKASH, Advocate (SR-741[I] dated 12/01/2024)

ORDER
IN
CRL OP(MD) No.22884 of 2023
Date :12/01/2024

PKP/JGB/SAR /23.01.2024/ 5P/ 4C

Madurai Bench of Madras High Court is issuing certified
copies in this format from 17/07/2023