



CRL OP(MD) No.23143 of 2023

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

Friday, the Fifth day of January Two Thousand and Twenty Four
PRESENT

The Hon`ble Mr.Justice M.DHANDAPANI
CRL OP(MD) No.23143 of 2023

1 UTHAYAKUMAR
2 UDAYASARMILA

... Petitioners / Accused No.1 & 2

Vs

1 THE INSPECTOR OF POLICE
DISTRICT CRIME BRANCH,
RAMANATHAPURAM,
RAMANATHAPURAM DISTRICT.
(CRIME NO.14/2023).

... Respondent / Complainant

2 M.RAMACHANDRAN

... Petitioner / Intervener
in CRL MP(MD) No.133 of 2024

3 S.MURUGALAKSHMI

... Petitioner / Intervener
in CRL MP(MD) No.18278 of 2023

For Petitioners : M/s.R.Karunanidhi, Advocate

For Respondent : Mr.P.Kottaichamy,
Government Advocate (Crl. Side)

For Intervener : Mr.C.B.Ramalingam, Advocate
for CRL MP(MD) No.133 of 2024
Mr.M.Kaliraj, Advocate
for CRL MP(MD) No.18278 of 2023

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

PRAYER : FOR ANTICIPATORY BAIL IN CRIME NO.14/2023 ON THE FILE OF
THE RESPONDENT POLICE.



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ORDER: The Court Made the following order :-

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The petitioners, who apprehend arrest at the hands of the respondent Police for the alleged offence punishable under Sections 406, 420 and 120(B) IPC in Crime No.14 of 2023 on the file of the respondent police, seek anticipatory bail.

2.The case of the prosecution is that the accused persons had stated the lured the defacto complainant as if they were selling the computer parts and getting more money and induced the defacto complainant and her husband to invest a sum of Rs.22,40,000/-, however, they have not repaid the said amount to the defacto complainant and cheated her. Hence the complaint.

3. The learned counsel appearing for the petitioner would submit that the petitioners did not commit any offence as alleged by the prosecution and they have been falsely implicated in this case. He would further submit that the petitioners have returned a sum of Rs.11,29,500/- to the defacto complainant and it is purely a money transaction and the defacto complainant has to approach the civil Court and not the respondent Police by way of a criminal complaint. Hence, he prays for grant of anticipatory bail to the petitioners.

4. The learned Government Advocate (Crl.side) appearing for the respondents Police submits that the accused persons have not only cheated the defacto complainant but also many other persons and the complaints are coming



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every day. He further submits that in this case, a sum of Rs.3,07,80,200/- has been cheated by the accused persons, in which, a sum of Rs.62,09,900/- has been paid to the defacto complainant and the accused persons have to pay the remaining amount of Rs.2,45,70,300/-. He further submits that the investigation is in the preliminary stage.

5. It appears that the accused persons have cheated the defacto complainant to the tune of Rs.3,07,80,200/-, in which, only a sum of Rs.62,09,000/- has been returned back to the defacto complainant. The remaining amount of Rs.2,45,70,300/- is to be paid to the defacto complainant. Moreover, the investigation is also in the preliminary stage. At this juncture, grant of anticipatory bail to the petitioners will affect the investigation and therefore, this Court is not inclined to grant anticipatory bail to the petitioners.

6. Accordingly, this Criminal Original Petition is dismissed.

sd/-
05/01/2024

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/01/2024
Sub-Assistant Registrar
(C.S. I / II / III /IV)
Madurai Bench of Madras High Court,
Madurai - 625 023.

SSB



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To கீழ்க்கண்ட

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1.The Inspector of Police,
District Crime Branch,
Ramanathapuram,
Ramanathapuram District.

2.The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

ORDER

IN

CRL OP(MD) No.23143 of 2023

Date :05/01/2024

ED/JGB /SAR- (24/01/2024) 4P / 3C

Madurai Bench of Madras High Court is issuing certified copies in this format from
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