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Crl.O.P.No.5494 of 2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: **06.03.2025**

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THE HONOURABLE MR JUSTICE SUNDER MOHAN

CRL OP NO. 5494 of 2025

D.Sivaseelan

...Petitioner/A2

Vs.

The State Rep. by

The Inspector of Police,

T-6, Peerkankaranai Police Station (Crime)

Chennai – 600 063.

(Crime No.116 of 2025)

...Respondent/Complainant

S.Lakshmi Thilagam

... Intervenor/Defacto Complainant

[Defacto complainant permitted to intervene this Criminal Original Petition, vide order of this Court [SMJ] dated 06.03.2025 made in Crl.MP.No.4128 of 2025]

Prayer: Criminal Original Petition filed under Section 482 of BNSS, 2023, to enlarge the petitioner on bail in the event of their arrest in Cr.No.116 of 2025 on the file of the Inspector of Police (Crimes), T-6, Peerkankaranai Police Station, Chennai – 600 063.

For Petitioner : Mr.K.Prem Kumar

For Respondent : Mr.S.Santhosh

Government Advocate (Crl.Side)

For Intervenor : Mr.P.Velumaniyan

ORDER

The petitioner/A2, who apprehends arrest at the hands of the



respondent police for the offences punishable under Sections 316 (2) and 318 (4) of BNS Act in Crime No. 116 of 2025, on the file of the respondent police, seeks anticipatory bail.

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2. The case of the defacto complainant is that the first accused and the petitioner herein/A2 were running a firm under the name and style of 'M/s.Golden Property Solutions'; that they entered into lease agreements relating to several immovable properties with the land owners; that they had in turn sub-leased the property to other persons, received lease amount, failed to repay the same to the their sub-tenants on their vacating the property and cheated several persons to the tune of Rs.77 Lakhs; and thus committed the aforesaid offences

3. The learned counsel appearing for the petitioner submitted that the petitioner has nothing to do with the first accused; that he is not the husband of the first accused; that the first accused was employed in his company for maintaining his accounts and to contact with his customers; that he later came to know that the first accused had started a company in the name of 'M/s.Golden Property Solutions' and had received lease amount



from several persons and cheated them; that the first accused is due to pay to the petitioner a sum of Rs.9,17,671/-; and prayed for anticipatory bail.

4. The learned counsel for the intervenor/defacto complainant however opposing the petition, submitted that the petitioner and the first accused had cheated several persons; that in fact the first accused had lodged a complaint against the petitioner that he had collected money in her name; and that the petitioner and the first accused are blaming each other and the first accused is still absconding.

5. The learned Government Advocate (Crl.Side) appearing for the respondent police reiterated the prosecution case and on instructions submitted that the respondent has received several complaints making similar allegations and the petitioner and the first accused have collected money to the tune of Rs.77 Lakhs and cheated all of them.

6. Considering the aforesaid facts and the nature of allegations against this petitioner, this Court is of the view that custodial interrogation is required and hence, is not inclined to grant anticipatory bail. The



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Criminal Original Petition stands dismissed.

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SUNDER MOHAN, J.

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To
1.The Inspector of Police,
T-6, Peerkankaranai Police Station (Crime)
Chennai – 600 063.

2. The Public Prosecutor,
Madras High Court,
Chennai.

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06.03.2025