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CRL OP(MD). N



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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 31/10/2022

PRESENT

The Hon`ble Mr.Justice A.A.NAKKIRAN

CRL OP(MD). No.18780 of 2022

1.Ramalakshmi @ T.R.Ramu	... Petitioner 1/Accused (A-3)
2.Chitra @ Ramachitra	... Petitioner 2/Accused (A-4)

Vs

State Rep.by
The Inspector of Police,
Tirunelveli City Crime Branch (CCB),
Tirunelveli District.
(Crime No.15 of 2022). ... Respondent/Complainant

For Petitioners	: M/s.Chandrasekar G, Advocate.
For Respondent	: Mr.E.Antony Sahaya Prabahar, Government Advocate (Crl.Side)

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

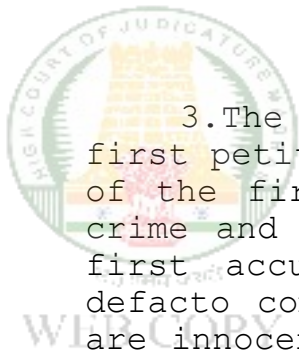
PRAYER :-

For Anticipatory Bail in Crime No.15 of 2022 on the file of the Respondent Police

ORDER : The Court made the following order :-

The petitioners/A3 & A2, who apprehend arrest at the hands of the respondent police for the offences punishable under Sections 420 of IPC, in Crime No.15 of 2022, seek anticipatory bail.

2.The case of the prosecution is that the first accused is running a business in the name of Sriram Gold in Tirunelveli Town. The defacto complainant is running a jewelry shop for the past 20 years in the same area. He used to buy gold bars from the first accused for the past several years and on 19.05.2022, he sent Rs.25 lakhs to the first accused from his account through RTGS for purchasing gold bars and on the next day, he gave a sum of Rs.55 lakhs as a liquid cash to the first petitioner for purchasing gold. Thereafter, he has not given the metal in right time and also absconded. Hence, the complaint.



3.The learned counsel for the petitioners would submit that the first petitioner is the wife and the second petitioner is the sister of the first accused. The first accused was arrested in another crime and the police have seized 1.55 kgs of Gold jewels from the first accused and certain quantity of gold were given to this defacto complainant. He would further submit that the petitioners are innocents and they have not committed any offence as alleged by the prosecution. Hence, he may be granted anticipatory bail to the petitioners.

4.The learned Government Advocate(Crl.Side) would submit that the petitioners and other accused cheated the defacto complainant to the tune of Rs.80,00,000/-. Apart from this case, six complaints are pending against the petitioners. He would further submit that investigation in this case is at the initial stage and since huge amount involved in this case, custodial interrogation of the petitioners is very much necessary. Hence, he opposed for grant of anticipatory bail to the petitioner.

5.Considering the facts and circumstances of the case, gravity of offence and huge amount involved in the offence and also considering the vehement objection raised by the prosecution and the nascent stage of investigation, this Court is not inclined to grant anticipatory bail to the petitioners.

6.Accordingly, this Criminal Original Petition is dismissed.

sd/-

31/10/2022

/ TRUE COPY /

/11/2022

Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

TO

1. The Inspector of Police,
Tirunelveli City Crime Branch (CCB),
Tirunelveli District.
2. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

ORDER

IN

CRL OP(MD) No.18780 of 2022

Date :31/10/2022

CP

RS/VR/SAR.2(09.11.2022) 2P-3C