

**IN THE COURT OF THE PRINCIPAL DISTRICT & SESSIONS JUDGE,
COIMBATORE.**

**Present: Tmt. G. VIJAYA, B.A., M.L., PGDCFS,
PRINCIPAL DISTRICT & SESSIONS JUDGE, COIMBATORE.**

Monday, this the 23rd day of March, 2026

CRIMINAL MISCELLANEOUS PETITION No.963/2026

1. R. Ganesh Murthy (Age 40 years),
S/o. Ramasamy,
2. Soundarya Ganeshmurthy (Age 38 years),
W/o. Ganesh Murthy. ... Petitioners/A-2 & A-3

/ vs /

State, Rep. by
through the Inspector of Police,
CCB Police Station,
Crime No. 3/2026

**Offences: u/s.61(2), 316(2), 296(b), 351(2) of BNS and Sec.3 & 4 of TamilNadu
Prohibition of Charging Exorbitant Act.**

Through the Public Prosecutor, Coimbatore. ... Respondent/Complainant
(The Judicial Magistrate Court No.7, Coimbatore.)

This petition has been filed through **e-Filing** on behalf of the petitioners to release them on anticipatory bail u/s.482 of BNSS.

This petition is coming on this day for final hearing before this Court in the presence of **Tmt./Selvi. T. Sowmiya**, Advocate for the Petitioner / Accused and **Tvl. L. Infant Dinesh, K. Ragavan and Rajendrakumar**, Advocates for the defacto complainant / Intervener [C.M.P.No.1051/2026] and **Thiru. V. Ravichandran, Public Prosecutor**, represented for State, upon perusing the petition submitted and upon hearing both side arguments, this Court pronounced the following:-

ORDER

Heard both side.

The petitioners are the accused in Crime No.3/2026 of CCB Police Station, since they are apprehending arrest in the hands of the respondent police for the alleged u/s.61(2), 316(2), 296(b), 351(2) of BNS and Sec.3 & 4 of TamilNadu Prohibition of

Charging Exorbitant Act, they have filed this petition, seeking grant of Anticipatory bail.

2. The learned counsel for the petitioners has submitted that the petitioners have been doing business and they are husband and wife. The defacto complainant approached the petitioners herein for selling his property situated at Chennai and was introduced to them by a known person and believing the words of the defacto complainant, they referred A-1 who is known to them for proceeding further. Infact the defacto complainant had previously filed a complaint against A-1 before the file of Thambaram PS in CSR NO.1096/2025 in the month of July 2025 and the same was closed by the police after investigation as it is civil in nature. These facts have not been disclosed conveniently by the defacto complainant before the CCB police. In this case, the learned Judicial Magistrate No.7, Coimbatore enlarged A-1, A-4, A-5 and A-6 on bail at the time of remand on 06-03-2026 based on the above said facts. The petitioners have not committed anything wrong and they are ready to abide any conditions imposed by this Court and pray for grant of anticipatory bail to them.

3. The learned counsel for the defacto complainant has submitted that in the year 2022, owing to an urgent financial requirement of Rs.1 crore, the defacto complainant and her husband approached the petitioners herein and they introduced the other accused who represented himself as a Manager working with Lemon Leaf Company which was owned by the petitioners herein. The defacto complainant and her husband was further introduced to A-1 who is also a partner in the above said company. The accused persons projected themselves as genuine and experienced financiers, claiming that they had been engaged in the money lending business for nearly 10 years. Upon the request and promise of the accused, the defacto complainant was induced to sign certain blank bank and related documents strictly believing and understanding that the same were taken only as security for the loan transaction. Trusting their words and representations, and believing that the property would be safely re-conveyed upon repayment, the defacto complainant consented to the said transaction and received the loan amount of a sum of Rs.75 lakh and for which she had paid the interest amount. While so, they have received further sum of Rs.58 lakh and paid the interest amount. Since they faced difficulty to pay the interest amount, they decided to settled the loan amount and one Salim has come forward to purchase their property, and they entered into a sale agreement and all the above said facts duly informed to the accused. While so, on verification of the encumbrance certificate, the defacto complainant and her husband came to know that the accused unlawfully misappropriated their property and they have been cheated by the accused. The acts

of the accused persons clearly disclose a well-planned criminal conspiracy involving cheating, criminal breach of trust, forgery, mortgage fraud, bank fraud and criminal intimidation. If the petitioners are granted anticipatory bail, they will tamper with documentary evidence, threaten the witnesses and obstruct the course of investigation and hence strongly opposed to grant anticipatory bail to the petitioners.

4. The learned Public Prosecutor has submitted that there are totally 6 accused in this case. **The petitioners are arrayed as A-2 and A-3.** The defacto complainant and A-6 are known persons. A-6 introduced A-2 and A-3 to the defacto complainant. A-1 and A-4 are father and daughter. A-2 and A-3 are husband and wife. A-5 is the relative of A-4. A-1 and A-4 are running business. A-2 and A-3 are the proprietors. The defacto complainant, due to urgent financial needs, sought help from A-6 and A-6 introduced A-1 to A-3 to the defacto complainant as financiers in the year 2022. In order to get loan, they insisted the defacto complainant to execute sale deed in respect of her property and promised that on repayment of the loan, the property will be returned to the defacto complainant. On the desire words of A-1 to A-3, the defacto complainant executed sale deed in favour of A-1. Though the sale consideration has been mentioned as Rs.2 crore, A-1 gave only a sum of Rs.75 lakh. For which interest had been paid by the defacto complainant to the A-2 and A-3's company account. Again the defacto complainant obtained a further of sum of Rs.58 lakh and had been paid the interest regularly for the total principal amount of Rs.1.58 crore. From the year 2022 to 2024, the defacto complainant had paid interest of Rs.51 lakh totally. Thereafter, the defacto complainant and her husband decided to settle the loan amount and hence they decided to sell the property to one Salim. When they approached A-1 to release the document, it came to their knowledge that A-1 mortgaged the property without their knowledge. When they questioned, A-1 conspired together with the other accused, demanded a sum of Rs.2.50 crore to release the document from the bank and to register in the name of the said Salim. Therefore, with no other option, the said Salim transferred a sum of Rs.2.50 crore. For which a sale agreement was executed between A-1 and the said Salim, and in which the defacto complainant's husband had signed as attesting witness. While so, A-1 neither repaid the said amount nor released the property document. In this case, the amount is not yet recovered. Investigation is going on and strongly opposed to grant anticipatory bail to the petitioners.

5. Heard. As per the prosecution case, the accused conspired together and cheated the defacto complainant by giving false assurance. It is the main contention

of the petitioners that, the defacto complainant sold her property to A-1 in the year 2022, and there is no connection between the petitioners and the alleged offence and the defacto complainant suppressed the factum of lodging of complaint before the Thambaram PS against A-1 and the closure of the same as it is civil in nature and in this case, A-1, A-4, A-5 and A-6 were granted bail by the learned Judicial Magistrate at the time of their remand itself, and while so, the defacto complainant entered into another sale agreement with the third party even though the property had already been sold to A-1, and the defacto complainant is trying to sell her property at higher price at later stage and the petitioners are innocent and pray for grant of anticipatory bail to them. Per contra, the learned counsel for the defacto complainant contended that, due to urgent need, the defacto complainant borrowed a sum of Rs.75 lakh from A-1 by whom the petitioners introduced, and on the insistence of A-1, the defacto complainant executed sale deed in his favour, but the sale consideration as mentioned in the sale deed was not given to the defacto complainant, and the defacto complainant was directed to pay the interest amount to the A-2 and A-3's company account and thereafter as she was in need, she has borrowed further loan of Rs.58 lakh from A-1 and paid the interest regularly for the total principal amount, and while so, the defacto complainant decided to sell her property and one Salim agreed to purchase the same, which was clearly informed to all the account and while so, with no other option, the Salim has given a sum of Rs.2.5 crore to A-1 for redeem the mortgage which was mortgaged by the accused without the knowledge of the defacto complainant, and the accused had promised to re-register the sale deed and the defacto complainant is in possession of the property and though the accused have agreed for re-registration, subsequently A-1 conspired along with the other accused, cheated the defacto complainant and hence strongly opposed to grant anticipatory bail to the petitioners. The learned Public Prosecutor reported that investigation is going on. After considering all the above said aspects, considering the nature of offence, nature of allegation, gravity of the offence and stage of the investigation, **this Court is not inclined to grant anticipatory bail to the petitioners.**

Hence this petition is dismissed.

This order is dictated to steno-typist, typed by her, corrected and pronounced by me on this 23rd day of March, 2026 .

PRINCIPAL DISTRICT & SESSIONS JUDGE,
COIMBATORE.

CC to:

1. The Judicial Magistrate Court No.7, Coimbatore.
2. The Public Prosecutor, Coimbatore.
3. The Inspector of Police, CCB Police Station.
4. Counsel for the Petitioners / Accused Person.
5. Counsel for the defacto complainant/ Intervener.