



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

Wednesday, the First day of July Two Thousand Fifteen

PRESENT

The Hon`ble Mr Justice K.KALYANASUNDARAM

CRL OP(MD) No.12087 of 2015

1 M. VIJAYAN

2 R.NAVENEETHA KRISHNAN

3 V. SUMATHI

4 S. CHITRA

... PETITIONER(S) / ACCUSED 1 to 4

Vs

THE STATE REP.BY THE INSPECTOR OF POLICE
PALANI TOWN POLICE STATION, DINDIGUL DT
CRIME NO 589 OF 2015

... RESPONDENT / COMPLAINANT

For Petitioner : M/S.A.JAYARAMACHANDRAN Advocate

For Respondent : M/S.K.V.RAJARAJAN Govt. Advocate (Crl. Side)

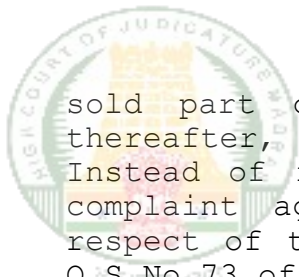
PETITION FOR ANTICIPATORY BAIL Under Sec. 438 Cr.P.C.

ORDER : The Court Made the following order :-

The petitioners, who are arrayed as A1 to A4 apprehend arrest at the hands of the respondent police for the alleged offences punishable under sections 120(B), 468 and 506(i) of IPC, in Crime No.589 of 2015 on the file of the respondent police and hence, seek anticipatory bail.

2.According to the de-facto complainant Padamanabhan, on 20th September 2013, he entered into an agreement with A3, A4 and their sister Sujatha to purchase the property in S.F.No.7/1 to an extent of 3 acres 7 cents and also paid an advance amount of Rs.25,00,000/-. A2 was acting as a mediator and to due to dispute in the payment of commission, A2 joined with A3 and A4 and they did not come forward to execute the sale deed and therefore, he earlier filed a case against them. It is further alleged that the accused forged his signature and sent a representation to the higher officials of the respondent under Right to Information Act to know about the action taken against the said Sujatha, thereby, they have committed the offence.

3.The learned counsel for the petitioners submitted that the petitioners are innocent persons and they have not committed any offence as alleged by the prosecution. The learned counsel further submitted that the de-facto complainant had entered into an agreement with A3 and A4 and their sister Sujatha on 16.09.2013 and also paid advance of Rs.25,00,000/- and thereafter, he formed a lay out and as per his direction, the accused



sold part of the property, thereby recovered the entire amount and thereafter, he did not come forward to purchase the balance in time. Instead of filing a suit for specific performance, he filed this false complaint against the petitioners. It is further submitted that in respect of the same dispute, suits are pending in O.S.Nos.45 of 2008 and O.S.No.73 of 2009 and this is the 4th complaint.

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4.The learned Government Advocate (Criminal side) appearing for the respondent submitted that as per the direction of this court in Cr1.O.P (MD)No.3586 of 2015, this case has been registered and according to the de-facto complainant, the accused have forged his signature and thereby cheated him.

5.Considering the facts and circumstances of the case and also considering the fact that A3 and A3 were granted anticipatory bail by this court, this Court is inclined to grant anticipatory bail to the petitioners with certain conditions.

6.Accordingly, the petitioners are ordered to be released on bail in the event of arrest or on their appearance before the learned Judicial Magistrate, Palani and on each of them executing a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) with two sureties each for a like sum to the satisfaction of the learned Magistrate concerned and on further condition that the petitioners shall appear before the respondent police as and when required for interrogation. The petitioners shall comply with the condition stipulated under Section 438 Cr.P.C. scrupulously.

7.The petitioners shall appear before the concerned Magistrate within a period of 15 days from the date on which the order copy made ready, failing which, the petition for anticipatory bail stands dismissed.

sd/-
01/07/2015

/ TRUE COPY /

Sub-Assistant Registrar (C.S.)

TO

- 1 THE JUDICIAL MAGISTRATE, PALANI.
- 2 DO THRO THE CHIEF JUDICIAL MAGISTRATE, DINDIGUL.
- 3 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI
- 4 THE INSPECTOR OF POLICE
PALANI TOWN POLICE STATION, DINDIGUL DISTRICT.

+1. CC to M/S.A.JAYARAMACHANDRAN Advocate SR.No.35750.

TS/07.07.2015/2P -6C