



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

Wednesday, the Twenty Second day of July Two Thousand Fifteen

PRESENT

THE HON'BLE MR JUSTICE K.KALYANASUNDARAM

CRL OP(MD) No.13063 of 2015

RAMAPRIYA

... PETITIONER/ACCUSED NO.2

Vs

THE INSPECTOR OF POLICE

SRIVILLIPUTHUR TOWN POLICE STATION,

VIRUDHAGAR DISTRICT, CR.NO.422 OF 2015 ... RESPONDENT/COMPLAINANT

For Petitioner : M/S.B.JEYAKUMAR Advocate

For Respondent : MR.K.V.RAJARAJAN, Govt. Advocate (Crl. Side)

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

ORDER : The Court Made the following order :-

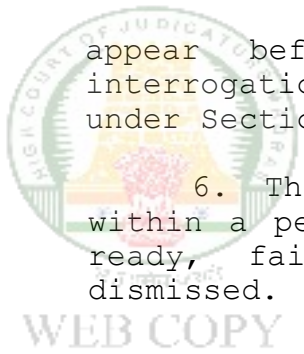
The petitioner, who is arrayed as A-2 apprehends arrest at the hands of the respondent police for the alleged offence punishable under Sections 120(b), 406 and 420 of I.P.C. in Crime No.422 of 2015 on the file of the respondent police and hence, seeks anticipatory bail.

2. The case of the prosecution is that the first accused had agreed to sell his car bearing Registration No.TN 67 AL 4308 to the defacto complainant for Rs.4,80,000 and received Rs.4,00,000/- to discharge the loan obtained from Sundaram Finance and after getting clearance from the Finance Company, however instead of selling the car to the defacto complainant, sold the car to the second accused and thereby cheated the defacto complainant.

3. The learned counsel for the petitioner submitted that the petitioner is a bonafide purchaser and she was not aware of the understanding between the first accused and the defacto complainant. It is further contended that the defacto complainant has made vague and bald allegations that the second accused was residing with the first accused and the vehicle was transferred in her name. The learned counsel has produced the family card, community certificate and birth certificate issued in favour of her son and the transfer certificate, to show that the first accused and the second accused are not related and she is only a bonafide purchaser.

4. Heard the learned Government Advocate(Crl. Side).

5.Considering the facts and circumstances of the case, this Court is inclined to grant anticipatory bail to the petitioner, with certain conditions. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on his appearance before the learned Judicial Magistrate No.II, Srivilliputhur, Virudhunagar District and on executing a bond for 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 petitioner shall



appear before the respondent police as and when required for interrogation. The petitioner shall comply with the condition stipulated under Section 438 Cr.P.C. scrupulously.

6. The petitioner 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/-
22/07/2015

/ TRUE COPY /

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

TO

1. THE JUDICIAL MAGISTRATE NO.II,
SRIVILLIPUTHUR, VIRUDHUNAGAR DISTRICT.
2. -DO- THRO THE CHIEF JUDICIAL MAGISTRATE,
VIRUDHUNAGAR AT SRIVILLIPUTHUR.
3. THE INSPECTOR OF POLICE
SRIVILLIPUTHUR TOWN POLICE STATION, VIRUDHAGAR DISTRICT.
4. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1. CC to M/S.B.JEYAKUMAR Advocate SR.No. 41424

SR : 27.07.2015 : 2P/6C

ORDER
IN
CRL OP(MD) No.13063 of 2015
Date :22/07/2015