



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

Friday, the Fourteenth day of August Two Thousand Fifteen

PRESENT

The Hon`ble Mr Justice K.KALYANASUNDARAM

CRL OP(MD) No.13115 of 2015

1 A. POOVENDRAN
2 PONNUCHAMY
3 JAYARAMAN

... PETITIONERS / ACCUSED - A2, A3 & A1

Vs

THE STATE REP.BY
THE INSPECTOR OF POLICE
THIRUPPUVANAM POLICE STATION, SIVAGANGAI DT,
CRIME NO.325 OF 2015 ... RESPONDENT / COMPLAINANT

For Petitioner : M/S.D.RAMESHKUMAR Advocate

For Respondent : M/S.S.PRABHA, 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 A2,A3 and A1 in Crime No.325 of 2015, apprehend arrest at the hands of the respondent police for an alleged offence punishable under Sections 120-B, 420, 467 and 478 of IPC on the file of the respondent police, seek anticipatory bail.

2. According to the de facto complainant Mrs. Lakshmi, she borrowed a sum of Rs.10,000/- from the first accused Jayaraman and subsequently, borrowed another sum of Rs.20,000/- for family expenses, under the guise of mortgaging the property, the accused got sale deed in their favour.

3. The learned counsel for the petitioners submitted that the de facto complainant sold the property by registered sale deed dated 22.02.2014, after receiving the sale consideration of Rs.3,00,000/-. The husband of the de facto complainant is one of the witnesses to the document and due to escalation of the land price , after one year present complaint is filed. He further submitted that the first accused appointed the second accused as his agent through A2 / purchaser of the property, in which A3 signed as witness.

4. The learned counsel Government Advocate (Crl. Side) would submit that the accused have colluded together and cheated the de facto complainant by making the false representations and grabbed the property.



5. Heard the learned counsel appearing for the petitioners, intervenor and the learned Government Advocate (Crl. Side).

6. Considering the facts and circumstances of the case, this Court is inclined to grant anticipatory bail to the petitioners. Accordingly, the petitioners are ordered to be released on bail in the event of arrest or on their appearance before the learned Judicial Magistrate, Manamadurai, and on each of them executing a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) each with two sureties each for a like sum to the satisfaction of the learned Magistrate concerned and on further condition that the petitioners 1 and 3 shall appear before the respondent police daily at 10.00 am until further orders and the second petitioner shall appear before the respondent 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/-
14/08/2015

/ TRUE COPY /

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

TO

1.THE JUDICIAL MAGISTRATE, MANAMADURAI.

2.THE CHIEF JUDICIAL MAGISTRATE, SIVAGANGAI.

3.THE ADDL PUBLIC PROSECUTOR
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

4.THE INSPECTOR OF POLICE
THIRUPPUVANAM POLICE STATION, SIVAGANGAI DISTRICT.

+2. CC to M/S.D.RAMESHKUMAR Advocate SR.NoS.46785 & 46577

ORDER
IN
CRL OP(MD) No.13115 of 2015
Date :14/08/2015

rg.17.08.2015 2p/7c.