



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.13681 of 2015

MANIKANDAN

... PETITIONER / ACCUSED No.2

Vs

THE STATE REP.BY THE INSPECTOR OF POLICE
KRISHNAN KOVIL POLICE STATION,
VIRUDHUNAGAR DIST.
(CRIME NO. 7 OF 2015)

... RESPONDENT / COMPLAINANT

For Petitioner : M/S.G.MARIMUTHU Advocate

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

PETITION FOR BAIL Under Sec. 439 Cr.P.C.

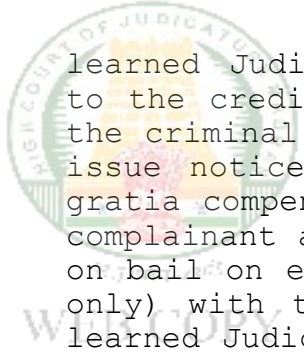
ORDER : The Court Made the following order :-

The petitioner, who is arrayed as A-2 in Crime No.7 of 2015 on the file of the respondent police, was arrested and remanded to judicial custody on 25.06.2015 for the alleged commission of offence under Sections 406, 420, 423, 465, 506(ii) of I.P.C and hence seeks bail.

2. The case of the prosecution is that the petitioner along with co-accused had entered into an agreement with one Kamalam, the defacto complainant, in which, they have represented that the property belongs to one Leelavathi and that they are acting on the instructions of the said Leelavathi for selling the land. An agreement dated 14.12.2013 was prepared and the same was taken to the said Leelavathi and after getting the signature, the same was given to the defacto complainant. On the strength of the agreement, the defacto complainant has given around Rs.6,00,000/- (Rupees Six Lakhs Only) to the petitioner and the co-accused as advance for the land. Only thereafter, the defacto complainant came to know that the original Leelavathi has not signed the said agreement and the accused managed to fabricate the document.

3.The learned counsel for the petitioner submitted that without prejudice to the defence in this case, the petitioner is willing to repay a sum of Rs.1,50,000/- (Rupees One Lakh and Fifty Thousand Only) to the defacto complainant.

4. Recording the said statement, bail is granted to the petitioner on condition that the petitioner shall deposit a sum of Rs.1,50,000/- (Rupees One Lakh and Fifty Thousand Only) before the



learned Judicial Magistrate No.II, Srivilliputhur, Virudhunagar District to the credit of Crime No.7 of 2015, without prejudice to his defence in the criminal prosecution and on such deposit, the learned Magistrate shall issue notice to the defacto complainant and disburse the amount as ex-gratia compensation, without obtaining security or surety from the defacto complainant and on such deposit, the petitioner is directed to be released on bail on 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 Judicial Magistrate No.II, Srivilliputhur and on further condition that the petitioner shall report before the respondent police twice a day at 10.30 a.m., in the morning and 06.30 p.m., in the evening for a period of two weeks and thereafter, as and when required for interrogation.

sd/-
22/07/2015

/ TRUE COPY /

Sub-Assistant Registrar (C.S.)

TO

- 1 THE JUDICIAL MAGISTRATE, NO.II, SRIVILLIPUTHUR.
 - 2 DO THRO THE CHIEF JUDICIAL MAGISTRATE, VIRUDHUNAGAR AT SRIVILLIPUTHUR.
 - 3 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI
 - 4 THE INSPECTOR OF POLICE
KRISHNAN KOVIL POLICE STATION, VIRUDHUNAGAR DISTRICT.
 5. THE OFFICER INCHARGE, DISTRICT PRISON, VIRUDHUNAGAR DISTRICT.
- +1. CC to M/S.G.MARIMUTHU Advocate SR.No. 41095.

TS/24.07.2015/2P - 7C

ORDER
IN
CRL OP(MD) No.13681 of 2015
Date :22/07/2015