



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

WEB COPY

CRL OP(MD) No.13838 of 2015

A.R. SANKARANARAYANAN

... PETITIONER(S) / ACCUSED 1

Vs

STATE REP BY:THE INSPECTOR OF POLICE
SEMPATTI POLICE STATION, DINDIGUL DISTRICT.
IN CRIME NO.225/2015

... RESPONDENT(S) / COMPLAINANT

For Petitioner : M/S.A.JAYARAMACHANDRAN Advocate

For Respondent : Mr.K.V.RAJARAJAN, Government Advocate(Crl.Side)

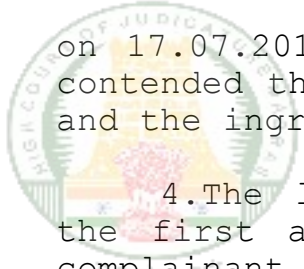
PETITION FOR ANTICIPATORY BAIL Under Sec. 438 Cr.P.C.

ORDER : The Court Made the following order :-

The petitioner, who is arrayed as A1, apprehends arrest at the hands of the respondent police for the alleged offence punishable under Sections 294(b), 506(ii) and Section 4 of TNPWH Act and 306 r/w 511 of I.P.C. in Crime No.225 of 2015 on the file of the respondent police and hence, seeks anticipatory bail.

2.According to the de-facto complainant, he is the tenant in respect of the property of the first accused and thereafter the first accused had agreed to sell the property to the de-facto complainant and also received Rs.15,000/- as advance and thereafter, he refused to sell the property to the de-facto complainant and on 17.07.2015, the accused came to the house of the de-facto complainant and returned Rs.15,000/- whileso, the accused abused the deceased and due to which, she was in depression and committed suicide by setting fire on 19.07.2015.

3.The learned counsel for the petitioner submitted that the de-facto complainant is a permissive occupant of the property of the first accused and the petitioner had no intention to sell the property to the de-facto complainant and there was no agreement for sale also. He further submitted that when the petitioner gone to his village in the month of February 2015, the de-facto complainant insisted the petitioner to sell the property and also put into his car Rs.15,000/- and on 17.07.2015, the petitioner returned the amount. The learned counsel further submitted that the de-facto complainant further alleged that the second accused wanted to purchase portion of the land for his relatives and also insisted for the same and due to which



on 17.07.2015 the second accused abused the deceased. It is further contended that the accused had no intention for commit of the offence and the ingredients of the offence are not made out.

4.The learned Government Advocate (Crl.side) would submit that the first accused had entered into an agreement with the de-facto complainant to sell his property and also received advance amount and when he refused to sell the same, the deceased was in depression and committed suicide. He further submitted that A3, A4, and A5 were already arrested and remanded to judicial custody and the investigation is at initial stage.

5.However, considering the facts and circumstances of the case, this Court is inclined to grant anticipatory bail to the petitioner, with certain conditions.

6. 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, Dindigul and 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 Magistrate concerned and on further condition that the petitioner shall appear before the respondent police daily at 10.00 a.m., until further orders. The petitioner shall comply with the condition stipulated under Section 438 Cr.P.C. scrupulously.

7. 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.)

TO

- 1 THE JUDICIAL MAGISTRATE NO.II, DINDIGUL
- 2 THE CHIEF JUDICIAL MAGISTRATE DINDIGUL
- 3 THE ADDL. PUBLIC PROSECUTOR MADURAI BENCH OF MADRAS HIGH COURT, MADURAI
- 4 THE INSPECTOR OF POLICESEMPATTI POLICE STATION, DINDIGUL DISTRICT.

1. CC to M/S.A.JAYARAMACHANDRAN Advocate SR.No.40087

DM 24 7 15 - 2P 6C

ORDER

IN

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Date :22/07/2015