



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

Wednesday, the Twelfth day of August Two Thousand Fifteen

PRESENT

The Hon`ble Mr Justice K.KALYANASUNDARAM

CRL OP(MD) No.15588 of 2015

RAJKUMAR

... PETITIONER / ACCUSED No.1

Vs

THE STATE REP BY INSPECTOR OF POLICE
MATHUR POLICE STATION,
PUDUKOTTAI DISTRICT.
(IN CR.NO. 45/2015)

... RESPONDENT / COMPLAINANT

For Petitioner : M/S B.SEKAR Advocate

For Respondent : M/S.S.Prabha Government 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 accused No.1 in Crime No.45 of 2015 on the file of the respondent police, was surrendered before the Judicial Magistrate No.VI, Trichy on 10.07.2015 for the alleged offences punishable under Sections 120(b), 406, 419, 420, 465, 468, 471, 294(b) and 506(i) of I.P.C., and hence, seeks bail.

2. The case of the prosecution is that the first accused had entered into an agreement with the de-facto complainant on 11.07.2012, to sell the property as power agent of one S.A.Mohammed Sakkria and received Rs.6,72,000/- and since the sale could not be completed, the first accused had arranged to purchase the property of one Amusu for sale consideration of Rs.10 lakhs and thereby totally received Rs.11 lakhs and thereafter, it was found that the land of the said Amusu was assigned land and she had no right to sell the property.

3. The learned counsel for the petitioner submitted that the petitioner has been falsely implicated in this case and even as per the complaint, the second accused had received Rs.6,77,000/- from the de-facto complainant.

4. The learned counsel for the intervenor vehemently opposed the granting of bail to the accused stating that his entire hard earned money was paid to the accused and he is suffering financially with his three children and the accused is not entitled for bail at this stage.

<https://hcservices.ecourts.gov.in/hcservices/>

5. The learned counsel for the petitioner on instruction submitted that there are totally 5 accused in this case and the petitioner is ready to deposit Rs.3 lakhs to the credit of the crime number without prejudice to his right in the trial.

6. Heard the learned Government Advocate (crl.side).

7. Considering the period of incarceration and the submission of the learned counsel for the petitioner, this Court is inclined to grant bail to the petitioner with certain conditions. Accordingly, the petitioner is ordered to be released on bail on his 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 District Munsif cum Judicial Magistrate, Keeranur and on condition that the petitioner shall deposit Rs.3 lakhs (Rupees Three lakhs only) to the credit of Crime No.45 of 2015 on his file and on production of receipt for payment of Rs.3 lakhs and the learned District Munsif cum Judicial Magistrate, Keeranur shall invest the amount in a Nationalised Bank in a recurring deposit till the disposal of the case.

sd/-
12/08/2015

/ TRUE COPY /

Sub-Assistant Registrar (C.S.)

TO

- 1 THE JUDICIAL MAGISTRATE, KEERANAUR.
- 2 DO THRO THE CHIEF JUDICIAL MAGISTRATE , PUDUKOTTAI.
- 3 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI
- 4 THE INSPECTOR OF POLICE MATHUR POLICE STATION,
PUDUKOTTAI DISTRICT.
- 5 THE SUPERINTENDENT, CENTRAL PRISON, TRICHY.

+1. CC to M/S B.SEKAR Advocate SR.No. 45820

+1cc to M/S. A.Thiruvadi Kumar, Advocate in SR.No 46028

TS/13.08.2015/2P - 8C KBM/SAR -II

ORDER
IN
CRL OP(MD) No.15588 of 2015
Date :12/08/2015