



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

Friday, the Twenty First day of August Two Thousand Fifteen
PRESENT

The Hon`ble Mr Justice K.KALYANASUNDARAM
CRL OP(MD) No.15877 of 2015

1 RAJESWARAI

2 R. MANIVASAKAM

... PETITIONER/ACCUSED NO. 1 & 2

Vs

THE STATE REP.BY

THE INSPECTOR OF POLICE

CENTRAL CRIME BRANCH, MADURAI CITY,

(CRIME NO.74 OF 2015)

... RESPONDENT/COMPLAINANT

FOR PETITIONER : M/S.R.GANDHI ADVOCATE

FOR RESPONDENT : MRS.S.PRABHA, GOVERNMENT ADVOCATE (CRL.SIDE)

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

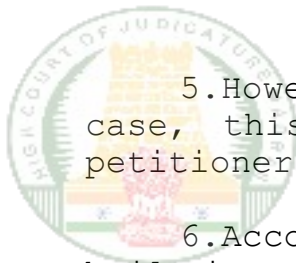
ORDER : The Court Made the following order :-

The petitioners, who are arrayed as A1 and A2 apprehend arrest at the hands of the respondent police for the alleged offence punishable under section 420 IPC r/w section 120-B of IPC, in Crime No.74 of 2015 on the file of the respondent police and hence, seek anticipatory bail.

2.According to the de-facto complainant Meenakshi Sundaram, that he purchased a housing plot No.2 from A1, by a registered sale deed, dated 13.05.2010 and after obtaining planning permission, he also constructed a house. While so, the neighbouring plot owners informed that he had constructed a house in plot No.3 and thereafter, exchange of deed between them were executed, for which the accused have refused to pay the amount.

3.The learned counsel for the petitioners submitted that the petitioners are innocent persons and they have not committed any offence as alleged by the prosecution. The learned counsel further submitted that at the time of selling the property, it was undeveloped area and the mistake was committed by the de-facto complainant, for which the petitioners are no way liable. It is further submitted that the civil dispute has been given a criminal colour to arm-twist the accused to come for settlement before the respondent.

4.The learned Government Advocate (Criminal side) appearing for the respondent objected granting of anticipatory bail to the petitioners contending that the accused have cheated the de-facto complainant.



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

6.Accordingly, the petitioners are ordered to be released on bail in the event of arrest or on their appearance before the learned Judicial Magistrate No.I, Madurai and on each of them 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 petitioners shall appear before the respondent police 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/-
21/08/2015

/ TRUE COPY /

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

TO

1. THE JUDICIAL MAGISTRATE NO.1, MADURAI.
 2. DO THROUGH THE CHIEF JUDICIAL MAGISTRATE, MADURAI
 3. THE INSPECTOR OF POLICE
CENTRAL CRIME BRANCH, MADURAI CITY.
 4. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.
- +1. CC to M/S.R.GANDHI Advocate SR.No. 48832

ORDER
IN
CRL OP(MD) No.15877 of 2015
Date :21/08/2015

2P/6C
TE/JGB-DP/SAR-I 25/08/2015