



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

Friday, the Twenty Fifth day of September Two Thousand Fifteen

PRESENT

The Hon`ble Mr Justice K.KALYANASUNDARAM

WEB COPY

CRL OP(MD) No.18375 of 2015

1 S.MARIAPPAN
2 BALASUBRAMANIYAN
3 HEMALATHA

... PETITIONERS / ACCUSED NOS.1 TO 3

Vs

THE STATE REP.BY
THE INSEPECTOR OF POLICE
NAGAMALAI PUDUKKOTTAI POLICE STATION,
MADURAI,
MADURAI DISTRICT,
(CRIME NO.439 /2015) ... RESPONDENT / COMPLAINANT

For Petitioner : M/S G.THIRUVARUTSELVAN Advocate

For Respondent : M/S.S.PRABHA, Govt. Advocate (Crl. Side)

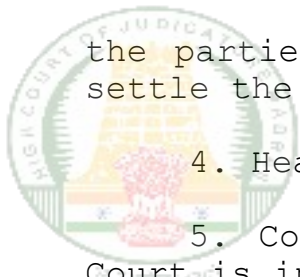
PETITION FOR ANTICIPATORY BAIL Under Sec. 438 Cr.P.C.

ORDER : The Court Made the following order :-

The petitioners, who are arrayed as accused Nos.1 to 3, apprehend arrest at the hands of the respondent police for the alleged offence punishable under Sections 294(b), 406, 420 and 506 (i) of I.P.C., in Crime No.439 of 2015 on the file of the respondent police and hence, seek anticipatory bail.

2. According to the de-facto complainant, that on 08.05.2015, he purchased lands from the first accused by paying advance amount of Rs.5 lakhs on the date of agreement and the balance amount was given on the date of registration of the sale deed i.e., on 08.05.2015. However, subsequently, one Mayan issued a notice along with two others on 12.05.2015, claiming right over the property and when the same was questioned by the de-facto complainant, he was threatened with dire consequences.

3. The learned counsel for the petitioners submitted that the de-facto complainant has paid the advance amount of Rs.5 lakhs and agreed to pay the balance sale consideration on the date of registration, but the amount was not paid in spite of several demands made by the first accused. So, the first accused lodged a complaint against the de-facto complainant, which is registered in Crime No.407 of 2015 for the alleged offences under Sections 406, 420 and 506(1) of I.P.C., and as a counter-blast, the present complaint is filed. It is further contended that the dispute between



the parties is civil in nature, a criminal complaint was given to settle the same before the respondent police.

4. Heard the learned Government Advocate (Crl.side).

5. Considering the facts and circumstances of the case, this Court is inclined to grant anticipatory bail to the petitioners with certain conditions. Accordingly, the petitioners are ordered to be released on bail in the event of their arrest or on their appearance before the learned Judicial Magistrate No.VI, Madurai and on their 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 2 shall appear before the respondent police daily at 10.00 a.m. until further orders and the petitioner No.3 shall appear before the respondent police as and when required. The petitioners shall comply with the condition stipulated under Section 438 Cr.P.C. scrupulously.

6. 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/-

25/09/2015

/ TRUE COPY /

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

TO

1 THE JUDICIAL MAGISTRATE NO.VI,
MADURAI

2 DO THRO' THE CHIEF JUDICIAL MAGISTRATE
MADURAI.

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

4 THE INSEPECTOR OF POLICE
NAGAMALAI PUDUKKOTTAI POLICE STATION,
MADURAI, MADURAI DISTRICT

+1. CC to M/S G.THIRUVARUTSELVAN Advocate SR.No.56637

ORDER

IN

CRL OP(MD) No.18375 of 2015

Date :25/09/2015

rg.30.09.2015/SK/SKN/SAR-II 2P.6C.