



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

Friday, the Seventeenth day of April Two Thousand Fifteen

PRESENT

WEB COPY

The Hon`ble Mr Justice K.KALYANASUNDARAM

CRL OP(MD) No.18475 of 2014

A. MALAIYADIYAN ... PETITIONER/ACCUSED NO.1

Vs

STATE REP BY THE INSPECTOR OF POLICE
DISTRICT CRIME BRANCH, VIRUDHUNAGAR DIST.

CR.NO.26 OF 2014

(AMENDED AS PER ORDER OF THIS

HON'BLE COURT DT.8.12.14 AND MADE IN

MP(MD).NO.1/14 IN CRL.OP(MD).NO.18475/2014)

... RESPONDENT/COMPLAINANT

G.SARASWATHI

...INTERVENOR/DEFACTO COMPLAINANT

For Petitioner : M/S.V.BASKARAN Advocate

For Respondent : MR.K.V.RAJARAJAN Govt. Advocate (Crl. Side)

For Intervenor : MR.R.MURUGABOOPATHY Advocate

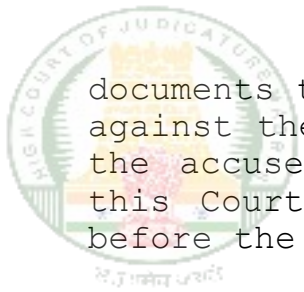
PETITION FOR ANTICIPATORY BAIL Under Sec. 438 Cr.P.C.

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 offences punishable under Sections 406, 420, 294(b), 506(i) and 120(B) of IPC in Crime No.26 of 2014, on the file of the respondent police and hence, seeks anticipatory bail.

2. The case of the prosecution is that the accused Nos.1 and 2 have sold their property to the de-facto complainant for a sum of Rs.9,00,000/- and after obtained the sale deed from the fourth accused/Sub-Registrar, they are not returned the document to the de-facto complainant.

3. The learned counsel appearing for the petitioner submitted that at the time of execution of the sale deed, the de-facto complainant had paid only a sum of Rs.50,000/- towards sale consideration and she assured to pay the balance amount after execution of the sale deed. The learned counsel further submitted that the de-facto complainant herself received the sale deed from the fourth accused/Sub-Registrar and after handing over the



documents to the accused Nos.1 and 2, she lodged the false complaint against the petitioner. The learned counsel further submitted that the accused No.3 and 4 were already granted anticipatory bail by this Court and the de-facto complainant has not chosen to appear before the Mediation Centre for amicable settlement.

4. Heard the learned Government Advocate (crl.side) appearing for the respondents.

5. Considering the above said submissions, this court is inclined to grant anticipatory bail to the petitioner. 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, Virudhunagar District 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 petitioners shall appear before the respondent police daily at 10.00 a.m. until further order. The petitioner shall comply with the condition stipulated under Section 438 Cr.P.C. Scrupulously.

6.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/-
17/04/2015

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

TO

- 1 THE JUDICIAL MAGISTRATE NO.II,VIRUDHUNAGAR
- 2 THE CHIEF JUDICIAL MAGISTRATE,VIRUDHUNAGAR AT SRIVILLIPUTHUR
- 3 THE ADDL.PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.
- 4 THE INSPECTOR OF POLICE
DISTRICT CRIME BRANCH, VIRUDHUNAGAR DISTRICT.

+1. CC to M/S.V.BASKARAN Advocate SR.No.20459

ORDER
IN
CRL OP(MD) No.18475 of 2014
Date :17/04/2015