



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

Monday, the Twenty Sixth day of October Two Thousand Fifteen

PRESENT

The Hon`ble Mr Justice K.KALYANASUNDARAM

CRL OP(MD) No.18722 of 2015

SENKUTTUVAN

... PETITIONER/ACCUSED NO.2

Vs

STATE REP BY THE INSPECTOR OF POLICE

CENTRAL CRIME BRANCH, MADURAI.

CR. NO.50/2014

... RESPONDENT/COMPLAINANT

For Petitioner : M/S K.BASKARAN Advocate

For Respondent : MRS.S.PRABHA Govt. 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 accused No.2, apprehends arrest at the hands of the respondent police for the alleged offences punishable under Sections 406 and 420 of I.P.C., in Crime No.50 of 2014 on the file of the respondent police and hence, seeks anticipatory bail.

2. According to the de-facto complainant that the accused, who is the owner of the properties in Survey Nos.77/1A, 1A, 2B and 2A/7, had entered into an agreement of sale with the de-facto complainant and received RS.16,70,000/- on various dates and when he was ready to perform his obligation, however the accused did not come forward to execute a sale deed, after receiving the balance sale consideration and thereby cheated the de-facto complainant.

3. The learned counsel for the petitioner submitted that the transaction between the accused and the de-facto complainant are purely civil in nature and instead of approaching the competent civil Court, a criminal complaint was given to settle the dispute before the respondent police.

4. The learned Government Advocate (Crl.side) submitted that the accused are not disputing the sale agreement entered into between the parties on 23.02.2012 and receipt of Rs.16,70,000/- towards advance amount and considering the gravity of the offence, the accused are not entitled for anticipatory bail.



5. Considering the facts, this Court is of the opinion the petitioner is not entitled for anticipatory bail and the petition is dismissed.

sd/-
26/10/2015

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

TO

- 1 THE INSPECTOR OF POLICE
CENTRAL CRIME BRANCH, MADURAI.
- 2 THE ADDL PUBLIC PROSECUTOR
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

ORDER
IN
CRL OP(MD) No.18722 of 2015
Date :26/10/2015

AA/SKS-RR/02.11.2015/2p-3c