



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

Friday, the Fourth day of December Two Thousand Fifteen

PRESENT

THE HON`BLE MS.JUSTICE V.M.VELUMANI

CRL OP(MD) No.20908 of 2015

1 K.A.K. KANNAN
2 M. AHAMMED BASHEER

... PETITIONERS/ACCUSED
RANK NOT KNOWN

Vs.

STATE REP.BY
THE INSPECTOR OF POLICE
DISTRICT CRIME BRANCH,
(CRIME NO. NOT KNOWN / 2015)
RAMANATHAPURAM DISTRICT.

... RESPONDENT/COMPLAINANT

For Petitioners : M/S J.SENTHIL KUMAR Advocate

For Respondent : MR.K.ANBARASAN, 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, apprehend arrest at the hands of the respondent police for the alleged offences punishable under Sections 406,420 and 506(i) of IPC in Crime No.No.60 of 2015 on the file of the respondent police and hence, seek anticipatory bail.

2. The case of the prosecution is that the first petitioner entered into the agreement of the sale with the de facto complainant to sell the property situated at Old Ward No.2, New Ward No.18, Ramanathapuram Town, measuring an extent of 9046 square feet, for total sale consideration of Rs.8,92,250/- and received a sum of Rs.3,00,000/- as advance and thereafter, he did not execute the sale deed and he did not return the amount

3.It is submitted by the learned counsel for the petitioners that the first petitioner is the owner of the property. In the year 2004, the de facto complainant offered to purchase the property and the petitioner has also agreed for the same. Subsequently, the de facto complainant did not come forward to purchase the property. The petitioners did not receive any advance amount from the de facto complainant. He further submitted that the petitioners are innocent and they have been falsely implicated in this case.

4.It is submitted by the learned Government Advocate (Crl.Side) that the investigation of the case is pending.



5.Considering the facts and circumstances of the case and also considering the fact that the de facto complainant has entered into the agreement of sale in the year 2004 and that the complaint has been in the the year 2015, 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 arrest or on their appearance before the learned Judicial Magistrate, Ramanathapuram 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 shall appear before the respondent police daily at 10.00 a.m., for a period of two weeks and thereafter, as and when required for interrogation. 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/-
04/12/2015

/ TRUE COPY /

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

TO

1. THE JUDICIAL MAGISTRATE, RAMANATHAPURAM
 2. THE CHIEF JUDICIAL MAGISTRATE, RAMANATHAPURAM
 3. THE INSPECTOR OF POLICE, DISTRICT CRIME BRANCH,
RAMANATHAPURAM DISTRICT.
 4. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.
- +1. CC to M/S J.SENTHIL KUMAR Advocate SR.No.69951

ORDER
IN
CRL OP(MD) No.20908 of 2015
Date :04/12/2015

GJM/SKS/RR/SAR-I-8.12.2015-2P-6C