



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

Monday, the Second day of November Two Thousand Fifteen

PRESENT

The Hon`ble Ms.Justice V.M.VELUMANI

CRL OP(MD) No.20993 of 2015

1 S. MUTHAIAH
2 M.PALKEES

... PETITIONER(S) / ACCUSED
RANK NOT KNOWN

Vs

THE STATE REP.BY THE INSEPECTOR OF POLICE
OTHKADAI POLICE STATION,
OTHAKADAI, MADURAI,
CRIME NO. 573 OF 2015

... RESPONDENT / COMPLAINANT

For Petitioner : M/S G.THIRUVARUTSELVAN Advocate

For Respondent : Mr.K.Anbarasan Government Advocate (Crl.Side)

For Intervenor : M/S.R.Gandhi Advocate

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

ORDER : The Court Made the following order :-

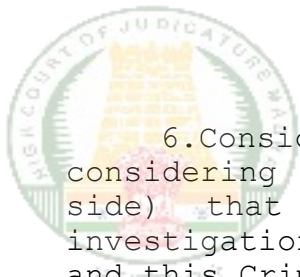
The petitioners, who are arrayed as accused in Crime No.573 of 2015 on the file of the respondent police apprehend arrest at the hands of the respondent police for the alleged offences punishable under Sections 406, 420 and 506(ii) IPC and hence, seek anticipatory bail.

2.The case of the prosecution is that the defacto complainant and the first petitioner decided to do real estate business and for that, the defacto complainant gave Rs.20,00,000/- for purchase of land to the first petitioner. The first petitioner did not purchase the property as promised. On the complaint given by the defacto complainant, a case was registered for the offences under Sections as stated above.

3.The learned counsel for the petitioners would submit that the petitioners are innocent persons and they have been falsely implicated in this case. Due to the previous land dispute, the complaint was given.

4.The learned Government Advocate (crl. side) would submit that the case has been registered only on 02.11.2015 and that the investigation is pending.

5.The learned counsel appearing for the intervenor has produced a letter dated 24.03.2015 of the Sub Registrar, Thallakulam, wherein it is stated that Survey No.134/2A1 is recorded as Government Poramboke/Kanmoi in the revenue records.



6.Considering the facts and circumstances of the case and also considering the submission made by the learned Government Advocate (crl. side) that the case has been registered only on 02.11.2015 and investigation is in progress, I am not inclined to grant anticipatory bail and this Criminal Original Petition is dismissed.

WEB COPY

sd/-
02/11/2015

/ TRUE COPY /

Sub-Assistant Registrar (C.S.)

TO

1 THE INSEPECTOR OF POLICE, OTHKADAI POLICE STATION,
OTHAKADAI, MADURAI.

2 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI

+1. CC to M/S G.THIRUVARUTSELVAN Advocate SR.No. 64428.

TS/06.11.2015/2P-4C/AAL-MPA/SAR II

ORDER
IN
CRL OP(MD) No.20993 of 2015
Date :02/11/2015