



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

Wednesday, the Fourth day of November Two Thousand Fifteen

PRESENT

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

CRL OP(MD) No.21135 of 2015

P. PUNNAIVANAM

... PETITIONER / ACCUSED No.2

Vs

THE STATE REP.BY THE INSPECTOR OF POLICE  
DISTRICT CRIME BRANCH,  
VIRUDHUNAGAR DISTRICT.  
(IN CR.NO. 8 OF 2015)

... RESPONDENT / COMPLAINANT

For Petitioner : M/S P.GANAPATHI SUBRAMANIAN Advocate

For Respondent : Mr.K.Anbarasan Government 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 A2 apprehends arrest at the hands of the respondent police for the alleged offences punishable under sections 147, 406, 420, 465, 468 and 120-B of IPC, in Crime No.8 of 2015 on the file of the respondent police and hence, seeks anticipatory bail.

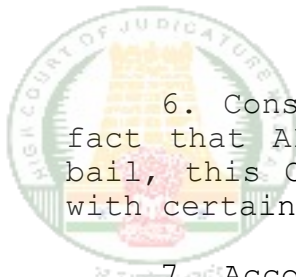
2.The case of the prosecution is that one Ponnaivanam, S/o.Seeni Moopar, Accused No.1 in this case along with one Poochan and Sarkarai, Accused Nos.3 and 4, approached the *de-facto* complainant and to sell the property comprised in S.F.No.5/71 and received a sum of Rs.3,00,000/- as advance and at the time of registration of sale deed, they informed that the petitioner/A2 is the owner of the land and the petitioner/A2 executed sale deed and they received balance sale consideration. Subsequently, the *de-facto* complainant came to know that they have identified some other property and sold the property belonging to some third party.

3. The case of the petitioner is that he is the owner of the property in S.F.No.5/71. He sold his property for a total sale consideration of Rs.1,00,000/- and he has also filed a Civil Suit against the *de-facto* complainant and also the respondent herein, in O.S.No.143 of 2014, on the file of District Munsif Court, Aruppukkottai, for injunction.

4. The learned counsel for the petitioner submitted that the petitioner is an innocent person and he has not committed any offence as alleged by the prosecution.

<https://hcservices.ecourts.gov.in/hcservices/>

5. Heard the learned Government Advocate (Criminal side) appearing for the respondent and he has submitted that A1 and A4 in this case were already arrested and enlarged on bail.



6. Considering the facts and circumstances of the case and also the fact that A1 and A4 in this case were already arrested and enlarged on bail, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions.

7. 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 his 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 petitioner shall appear before the respondent police daily at 10.00 a.m. until further orders. The petitioner shall comply with the condition stipulated under Section 438 Cr.P.C. scrupulously.

8. 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/-  
04/11/2015

/ TRUE COPY /

Sub-Assistant Registrar (C.S.)

TO

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

+1. CC to M/S P.GANAPATHI SUBRAMANIAN Advocate SR.No.65466.

TS/06.11.2015/2P-6C/AAL-MPA/SAR II

ORDER  
IN  
CRL OP(MD) No.21135 of 2015  
Date :04/11/2015