



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

Wednesday, the Twenty Ninth day of July Two Thousand Fifteen

PRESENT

WEB COPY

The Hon`ble Mr Justice K.KALYANASUNDARAM

CRL OP(MD) No.21588 of 2014

1 K. MARIYAMMAL

2 KRISHNAN

... PETITIONERS/ACCUSED NO. 1 & 2

Vs

STATE REP BY THE INSPECTOR OF POLICE

KUTRALAM POLICE STATION, KUTRALAM,

TIRUNELVELI DIST, CRIME NO.377/2014 ... RESPONDENT/COMPLAINANT

For Petitioner : M/S.M.SUBASH BABU Advocate

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

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

ORDER : The Court Made the following order :-

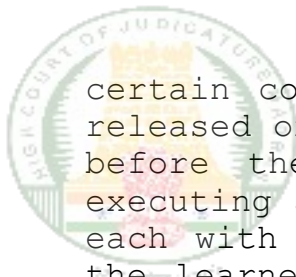
The petitioners, who are arrayed as accused Nos.1 and 2, apprehend arrest at the hands of the respondent police for the alleged offence punishable under Sections 420, 294(b) and 506(i) of I.P.C., in Crime No.377 of 2014 on the file of the respondent police and hence, seek anticipatory bail.

2. According to the de-facto complainant, the accused, who are husband and wife agreed to sell their house property bearing D.No.36/13 for Rs.27 lakhs and to pay Rs.2 lakhs to the Bank to release the document, they borrowed Rs.2 lakhs from the de-facto complainant and thereafter, failed to sell the property and also repay the loan amount.

3. The learned counsel for the petitioners submitted that the petitioners are innocent and they have been falsely implicated in this case. It is further submitted that the petitioners have filed a suit in O.S.No.554 of 2014 against the de-facto complainant for declaration and the present complaint was registered as per the direction of the Judicial Magistrate under Section 156 (2) Cr.P.C.

4. Heard the learned Government Advocate (Crl.side).

5. Considering the facts and circumstances of the case, 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 their arrest or on their appearance before the learned Judicial Magistrate, Senkottai 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 first petitioner shall appear before the respondent police as and when required and the second petitioner shall appear before the respondent police daily at 10.00 a.m. until further orders. 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/-
29/07/2015

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

TO

- 1 THE JUDICIAL MAGISTRATE, SENKOTTAI
- 2 THE CHIEF JUDICIAL MAGISTRATE, TIRUNELVELI
- 3 THE INSPECTOR OF POLICE
KUTRALAM POLICE STATION, KUTRALAM, TIRUNELVELI
- 4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI

+1. CC to M/S.M.SUBASH BABU Advocate SR.No.43063
ORDER
IN
CRL OP(MD) No.21588 of 2014
Date :29/07/2015

AA/04.08.2015/ 1p- 6c/