



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)
Monday, the Sixth day of July Two Thousand Fifteen
PRESENT

The Hon`ble Mr Justice K.KALYANASUNDARAM

CRL OP(MD) No.21931 of 2014

WEB COPY

1 SINGARAJ
2 MARIYAM BATCHA

... PETITIONERS/ACCUSED 1 -2

Vs

STATE REP.BY
THE SUB INSPECTOR OF POLICE
TENKASI POLICE STATION, TENKASI,
TIRUNELVELI DT,
CRIME NO.366/2014

... RESPONDENT/COMPLAINANT

For Petitioner : M/S.A.HAJA MOHIDEEN 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 petitioners who are arrayed as A1 and A2, apprehend arrest at the hands of the respondent police for an alleged offence punishable under Sections 420,406,341,294(b), and 506(i) of IPC in Crime No.366 of 2014 on the file of the respondent police, seek anticipatory bail.

2. The case of the prosecution is that the accused have collected instalments at the rate of Rs.300/- per month, from 40 persons, assuring to sell the property. Subsequently, cheated them.

3.The learned counsel for the petitioners submitted that the petitioners have purchased totally 47 Acres and they were ready to sell the property to the de facto complainant and other purchasers. Further, Patta was not issued in favour of the petitioners. He further contended that the accused have already filed W.P.(MD).Nos. 860 and 861 of 2013, seeking direction to the Revenue Authorities to measure the land and issue patta. He further submitted that the petitioners are innocent and they have been falsely implicated in this case.

4. The learned Government Advocate (Crl.side) would submit that the
<https://hcservices.ecourts.gov.in/hcservices/>
accused have cheated more than 40 persons and they have collected huge amount from them.



5. It is seen that in the W.P(MD).Nos. 860 and 861 of 2013, this Court directed the Thasildar, Ambai Taluk, Thirunelveli District, to consider the representation of the petitioners dated 07.01.2013 and take appropriate action within a period of four weeks. Subsequently, the Thasildar has sent a letter dated 09.06.2013 and 07.06.2013 stating that the petitioners have not produced Patta and they did not enclose the parent documents, Encumbrance Certificates and hence, the property would not be measured. Further, the learned counsel for the petitioners has not produced any materials to show the further action taken by them, subsequently, for the past about two years.

5. In such circumstances, this Court is not inclined to grant anticipatory bail to the petitioners. Accordingly, the Criminal Original Petition is dismissed.

sd/-
06/07/2015

/ TRUE COPY /

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

TO

- 1 THE SUB INSPECTOR OF POLICE
TENKASI POLICE STATION, TENKASI,
TIRUNELVELI DT.
- 2 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.

+1. CC to M/S.A.HAJA MOHIDEEN Advocate SR.No.36407

ORDER
IN
CRL OP(MD) No.21931 of 2014
Date :06/07/2015

PA/IV/08.07.2015/2P/4C