



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

Wednesday, the Eleventh day of March Two Thousand Fifteen
PRESENT

The Hon`ble Mr.Justice P.N.PRAKASH

CRL OP(MD) No.4492 of 2015

WEB COPY

1 B.KALARANI
2 BOSE

... PETITIONERS/ACCUSED No.1 AND 2

Vs

STATE REP.BY
THE INSPECTOR OF POLICE
NILAKKOTTAI POLICE STATION,
DINDIGUL DT,
CRIME NO.90/2015

... RESPONDENT/COMPLAINANT

For Petitioner : M/S.A.ARUN PRASAD Advocate
For Respondent : MR.A.P.BALASUBRAMANIAN, Govt. Advocate (Crl. Side)

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

ORDER : The Court Made the following order :-

Apprehending arrest at the hands of the respondent police in Crime No.90 of 2015 on the file of the respondent police for offences under Sections 420, 427, 465, 474 and 506(ii) of I.P.C., the petitioners are now before this Court seeking Anticipatory Bail.

2. Heard the learned counsel for the petitioners and the learned Government Advocate (Crl.side).

3. This case has been registered pursuant to the directions issued by this Court in Crl.O.P.(MD).No.3107 of 2015. The de-facto complainant is one Pankajam. She has lodged a complaint before the respondent police on 16.02.2015 in respect of an incident that allegedly takes place on 19.01.2015.

4. According to the de-facto complainant, she is a widow and she became very friendly with the petitioners as they being her neighbours. It is alleged by the de-facto complainant that the petitioners used to come very frequently to her house with biscuits, fruits and juices which she will partake without suspicion. It is stated by her that on 19.01.2015, the petitioners came to her house and gave her a juice and she drank the juice and thereafter she did not know what happened. She further states that she was taken to the Sub Registrar Office, Nilakottai, where an agreement of sale was registered in respect of the de-facto complainant's property for a sale consideration of Rs.36 lakhs. When the de-facto complainant came to her sense, she lodged a complaint before the Registrar on 02.02.2015, requesting the Registrar not to register the document. Thereafter, on 16.02.2015, the present complaint has been given.

5. On a reading of the complaint, it sounds like a fairytale. Perhaps the de-facto complainant wanted to come out of the sale agreement and therefore, she appears to have cooked up such a story.



6. Under such circumstances, this Court is inclined to grant anticipatory bail to the petitioners. Accordingly, the petitioners are ordered to be released on bail, in the event of arrest or on their appearance, within a period of fifteen days from the date of receipt of a copy of this order, before the learned Judicial Magistrate, Nilakottai, Dindigul District on their 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 respondent police or the police officer who intends to arrest or to the satisfaction of the learned Magistrate concerned and on further condition that,

(a) the petitioners shall report before the respondent police as and when required for interrogation by the respondent police.

[b] the petitioners shall give their thumb impressions, specimen signatures and handwritings.

[c] the petitioners shall not tamper with evidence or witness either during investigation or trial.

[d] the petitioners shall not abscond either during investigation or trial.

[e] On breach of any of the aforesaid conditions, the learned Magistrate/Trial Court is entitled to take appropriate action against the petitioners in accordance with law as if the conditions have been imposed and the petitioners released on bail by the learned Magistrate/Trial Court himself as laid down by the **Hon'ble Supreme Court in P.K.Shaji vs. State of Kerala [(2005)AIR SCW 5560]**.

sd/-

11/03/2015

/ TRUE COPY /

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

TO

- 1 THE JUDICIAL MAGISTRATE,
NILAKKOTTAI, DINDIGUL DISTRICT.
- 2 DO-THRO' THE CHIEF JUDICIAL MAGISTRATE,
DINDIGUL DISTRICT.
- 3 THE INSPECTOR OF POLICE
NILAKKOTTAI POLICE STATION, DINDIGUL DISTRICT.
- 4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.

+1. CC to M/S.A.ARUN PRASAD Advocate SR.No.11885
ORDER
IN
CRL OP(MD) No.4492 of 2015
Date :11/03/2015

PA/13.03.2015/2P/6C

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