



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

Thursday, the Thirteenth day of August Two Thousand Fifteen
PRESENT

The Hon`ble Mr Justice K.KALYANASUNDARAM

CRL OP(MD) No.7003 of 2015

WEB COPY

P.K. SELVARAJ

... PETITIONER / SOLE ACCUSED

Vs

THE STATE REP.BY
THE INSPECTOR OF POLICE,
KEELAVALAVU POLICE STATION,
MADURAI DISTRICT,
(CRIME NO.133 OF 2015).

... RESPONDENT / COMPLAINANT

For Petitioner : M/S.VEERA KATHIRAVAN Advocate

For Respondent : Mr.M. Shanmuga Velayutham,
Public Prosecutor.

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

ORDER : The Court Made the following order :-

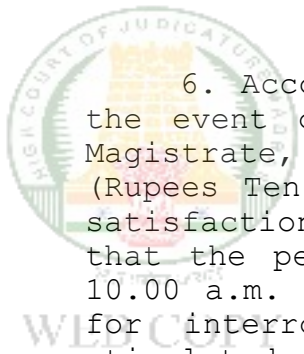
The Petitioner, who is arrayed as the sole accused, apprehends arrest at the hands of the respondent police for the alleged offence punishable under Sections 406 and 420 of I.P.C in Crime No. 133 of 2015 on the file of the respondent police and hence, seeks anticipatory bail.

2. According to the de-facto complainant viz., Sundararajan, the accused had entered into an agreement to purchase the property to an extent of 78.1/2 cents in patta No.561 for total consideration of Rs.15 lakhs and after paying Rs.10 lakhs towards advance amount, the accused has cheated the de-facto complainant by not paying the balance amount of Rs.5 lakhs and subsequently, in a panchayat, the accused has agreed to give him free waste stones and sand from the land, that was also not given.

3. The learned counsel for the petitioner submitted that the petitioner is an innocent person and he has been falsely implicated in this case and as per the sale deed dated 29.11.2011, the de-facto complainant has received three demand drafts for Rs.10,50,000/- and the balance amount of Rs.4,50,000/- has been given as cash on the date of registration and it was also recorded in the sale deed. However, this complaint was given after 4 years with an ulterior motive.

4. The learned Public Prosecutor submitted that the accused earlier agreed to pay Rs.15 lakhs and entered into an agreement and thereafter, he paid Rs.10 lakhs towards advance and the balance amount was not paid and cheated the de-facto complainant.

<https://hcservices.courts.gov.in/hcservices> Considering the facts and circumstances of the case, this Court is inclined to grant anticipatory bail to the petitioner, with certain condition.



6. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on his appearance before the learned Judicial Magistrate, Melur and on 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. For a period of one week and thereafter as and when required for interrogation. The petitioner shall comply with the condition stipulated under Section 438.Cr.P.C. Scrupulously.

7. 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/-
13/08/2015

/ TRUE COPY /

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

TO

1. THE JUDICIAL MAGISTRATE, MELUR,
2. THE CHIEF JUDICIAL MAGISTRATE, MADURAI.
3. THE INSPECTOR OF POLICE, KEELAVALLU POLICE STATION, MADURAI DISTRICT.
4. THE ADDITIONAL PUBLIC PROSECUTOR, MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

ORDER
IN
CRL OP(MD) No.7003 of 2015
Date :13/08/2015

2P/5C
AM/PRV/SAR(J)/18.08.2015.