



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

Thursday, the Fourth day of June Two Thousand Fifteen

PRESENT

The Hon`ble Mr Justice K.KALYANASUNDARAM

CRL OP(MD) No.9241 of 2015

ANILKUMAR

... PETITIONER/ACCUSED NO.3

Vs

THE STATE REP BY
THE INSPECTOR OF POLICE
KOOMAPATTI POLICE STATION, VIRUDHUNAGAR DISTRICT
(CRIME NO. 135 OF 2014) ... RESPONDENT/ COMPLAINANT

For Petitioner : M/S.R.GANDHI Advocate
For Respondent : M/S.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 petitioner, who is arrayed as accused No.3, apprehends arrest at the hands of the respondent Police for the alleged offences punishable under Sections 420, 465, 467, 468, 471, 506(i) of IPC in Crime No.135 of 2014 on the file of the respondent Police and hence, seeks anticipatory bail.

2.The case of the prosecution is that the accused has sold the property of the de facto complainant and thereby cheated him.

3.The learned counsel for the petitioner submitted that the de facto complainant is the brother-in-law of the first accused and he is claiming share in the property in dispute. It is further submitted that the first accused had sold the property to the second accused by a registered sale deed dated 27.02.2013 and the petitioner is the bona fide purchaser. The learned counsel for the petitioner submitted that civil dispute has been given criminal colour to settle the same before the respondent Police.

4.The learned Government Advocate (Crl.side) submitted that the accused 1 and 2, without any right over the property, have sold the same to the third accused.



5.Considering the facts and circumstances of the case, this Court is inclined to grant anticipatory bail to the petitioner, with certain conditions. 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.I, Srivilliputhur, 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 am until further orders. The petitioner shall comply with the condition stipulated under Section 438 Cr.P.C. Scrupulously.

6.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. This order cannot be taken as advantage by the accused Nos.1 and 2.

sd/-
04/06/2015

/ TRUE COPY /

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

TO

1.THE JUDICIAL MAGISTRATE NO.1
SRIVILLIPUTHUR

2.DO THROUGH THE CHIEF JUDICIAL MAGISTRATE
VIRUDHUNAGAR DISTRICT AT SRIVILLIPUTHUR

3.THE ADDITIONAL PUBLIC PROSECUTOR
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI

4.THE INSPECTOR OF POLICE
KOOMAPATTI POLICE STATION, VIRUDHUNAGAR DISTRICT.
+ONE CC TO M/S.R.GANDHI, Advocate, SR.No.27877

RL/6C - 9/6/2015

ORDER
IN
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Date :04/06/2015