



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

Monday, the Sixteenth day of November Two Thousand Fifteen

PRESENT

The Hon`ble Ms.Justice V.M.VELUMANI

CRL OP(MD) No.9770 of 2015

E.S.KUMAR,M/A71/2015

... PETITIONER/SOLE ACCUSED

Vs

THE STATE REP. BY
THE INSPECTOR OF POLICE
VALLIYOOR POLICE STATION,
TIRUNELVELI DISTRICT.
(CRIME NO.180 OF 2015)

... RESPONDENT/ COMPLAINANT

For Petitioner : M/S.S.PALANIVELAYUTHAM Advocate

For Respondent : Mr.K.ANBARASAN, 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 sole accused, apprehends arrest at the hands of the respondent police for the alleged offences punishable under Sections 420 and 506(ii) of IPC, in Crime No.180 of 2015, on the file of the respondent police and hence, seeks anticipatory bail.

2.The case of the prosecution is that the petitioner has entered into a sale agreement, to sell the land measuring 2 acres and 2 cents, to the defacto complainant for total sale consideration of Rs.1,50,00,000/- and received a sum of Rs.5,00,000/- as an advance. Subsequently, the defacto complainant found that there was some encumbrance in the said property and revoked the sale agreement and demanded the advance amount. The petitioner did not return the money and threatened the defacto complainant with dire consequences.

3.The case of the petitioner is that, he is owner of the plots bearing No.A6, A8, B-81, B-126 all measuring 52 cents in Survey No.234, Nanguneri Taluk, Tirunelveli District. The petitioner offered to purchase 2 acres 2 cents including petitioner's land. The petitioner promised to get consent from the other land owners. The petitioner promised to sell the total extent of 2 acres and 2 cents, including his four plots. According to the petitioner, the defacto complainant could not perform his part of the contract and also to escape from civil liability, he has given a false complaint against the petitioner.

<https://hcservices.courts.gov.in/hcservices> The Government Advocate(Crl.side) submitted that investigation is pending.



5.Considering the above facts and gravity of offence, I am not inclined to grant anticipatory bail to the petitioner. Hence, this petition is dismissed.

sd/-
16/11/2015

/ TRUE COPY /

WEB COPY

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

TO

1 THE INSPECTOR OF POLICE
VALLIYOOR POLICE STATION,
TIRUNELVELI DISTRICT.

2 THE ADDITIONAL PUBLIC PROSECUTOR
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI

+1. CC to M/S.S.PALANIVELAYUTHAM Advocate SR.No.65651

ORDER
IN
CRL OP(MD) No.9770 of 2015
Date :16/11/2015

NS/SKS-RR/SAR I/20.11.2015 : 2P/4C