



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.9839 of 2015

PALANIAPPAN

... PETITIONER/ ACCUSED No.4

Vs

THE STATE REP. BY THE INSPECTOR OF POLICE
DISTRICT CRIME BRANCH, PUDUKOTTAI DISTRICT,
CRIMENO.8 OF 2015.

... RESPONDENT / COMPLAINANT

For Petitioner : M/S.CHETTINAD LEGAL SOLUTIONS Advocate

For Respondent : Govt. M/S.K.V.RAJARAJAN, Govt. Advocate (Crl. Side)

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

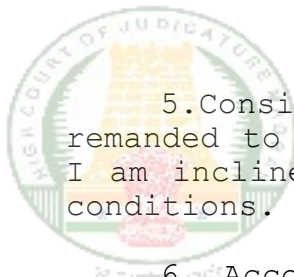
ORDER : The Court Made the following order :-

The petitioner, who is arrayed as A4, apprehends arrest at the hands of the respondent police for the alleged offences punishable under Sections 120(b), 406, 420, 465, 467, 468 and 471 IPC in Crime No.8 of 2015 on the file of the respondent police and hence, seeks anticipatory bail.

2.The case of the prosecution is that the property in dispute originally belong to the first accused, who settled the property in favour of her brother/A2 by the settlement deed dated 18.01.2010 and thereafter, the second accused sold the property to the defacto complainant on 20.1.2010. While so, the accused 2 and 3 have settled the property again in favour of the first accused on 06.07.2010 and the fourth accused had purchased the property from the first accused on 29.02.2015 thereby cheated the defacto complainant.

3.The learned counsel for the petitioner submitted that the petitioner is a *bonafide* purchaser and the encumbrance does not reflect the transaction in favour of the defacto complainant. It is further submitted that on the date of purchase, the patta was standing in the name of the first accused and after verifying the entire documents, the petitioner had purchased the property for valid consideration.

4.The learned Government Advocate(Crl.side) appearing for the State submitted that the accused, who have no right in the property, have sold the same to the fourth accused on 27.03.2015 only to cheat the defacto complainant. It is further submitted that the accused 1 and 2 were arrested and remanded to judicial custody.



5. Considering the fact the main accused were already arrested and remanded to judicial custody and considering the case of this petitioner, I am inclined to grant anticipatory bail to the petitioner, with certain conditions.

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, Alangudi, 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 until further orders. 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/-
04/06/2015

/ TRUE COPY /

Sub-Assistant Registrar (C.S.)

TO

- 1 THE JUDICIAL MAGISTRATE, ALAGUDI.
- 2 DO THRO THE CHIEF JUDICIAL MAGISTRATE, PUDUKOTTAI.
- 3 THE ADDL. PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.
- 4 THE INSPECTOR OF POLICE
DISTRICT CRIME BRANCH, PUDUKOTTAI DISTRICT.

+1. CC to M/S.CHETTINAD LEGAL SOLUTIONS Advocate SR.No.27779

TS/09.06.2015/2P-6C

ORDER
IN
CRL OP(MD) No.9839 of 2015
Date :04/06/2015