



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

Monday, the Twenty Third day of February Two Thousand Fifteen

PRESENT

The Hon`ble Mr Justice P.N.PRAKASH

CRL OP (MD) No.2930 of 2015

1 P. TAMIL SELVAM
2 T. BACKIYALAKSHMI

... PETITIONERS/ACCUSED NOS.1&2

Vs

STATE REPRESENTED THROUGH
THE SUB- INSPECTOR OF POLICE
SILAIMAN POLICE STATION, MADURAI DISTRICT,
CRIME NO.25/2015 ... RESPONDENT/ COMPLAINANT

For Petitioner : M/S.C.M.ARUMUGAM Advocate
For Respondent : M/S.A.P.BALASUBRAMANIAN
Govt. Advocate (Crl. Side)

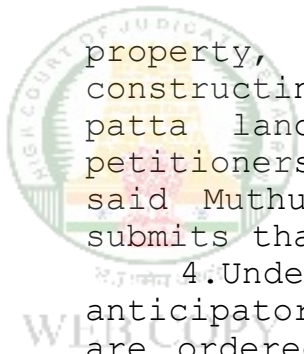
PETITION FOR ANTICIPATORY BAIL Under Sec. 438 Cr.P.C.

ORDER : The Court Made the following order :-

The petitioners, who apprehend arrest at the hands of the respondent police for the alleged offence punishable under Sections 468, 420 and 506(i) IPC in Crime No.25 of 2015 on the file of the respondent police, seek anticipatory bail.

2.Heard the learned counsel for the petitioners and the learned Government Advocate (Crl.Side) for the respondent/Police. This Court perused the FIR.

3.It is the case of the de facto complainant that the 2nd petitioner is a Document Writer sitting opposite to the Tahsildar office and that the 1st petitioner is her husband. It is alleged by the de facto complainant that he came into contact with the 2nd petitioner, when he had gone to the Tahsildar office for getting some certificates and at that time, the 2nd petitioner told him that there is a land available near Pottapanaiyur Village, Madurai North. It is admitted by the de facto complainant that these petitioners introduced one Muthumari and Kumar as the owners of the said property. The said Muthumari and Kumar executed a sale deed on 25.11.2013 in favour of the de facto complainant after receiving a sum of Rs.1,20,000/- as sale consideration. After purchasing the



property, when the de facto complainant went to the plot for constructing house, he was told by the neighbours, the land is not a patta land, but it is a road. The allegation against the petitioners is that they introduced to the de facto complainant, the said Muthumari and Kumar. Learned counsel for the petitioners submits that the land was assigned in favour of Muthumari and Kumar.

4. 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 No.II, Madurai, on condition that petitioners shall execute a bond for a sum of Rs.10,000/- (Rupees ten thousand only) each, 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 1st petitioner shall report before the respondent police every day at 05.30 P.M for two weeks and thereafter as and when required for interrogation and the 2nd petitioner shall report before the respondent/Police as and when required for interrogation;

[b] the petitioners shall not tamper with evidence or witness either during investigation or trial;

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

[d] 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]**.

[e] The Inspector of Police concerned is directed to send a compliance report to the Office of the learned Government Advocate (Criminal side), as to whether the petitioners are complying with the order or not.

sd/-
23/02/2015

/ TRUE COPY /

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

TO

1. THE JUDICIAL MAGISTRATE NO.II, MADURAI
 2. DO THROUGH THE CHIEF JUDICIAL MAGISTRATE, MADURAI DISTRICT
 3. THE ADDITIONAL PUBLIC PROSECUTOR
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI
 4. THE SUB- INSPECTOR OF POLICE
SILAIMAN POLICE STATION, MADURAI DISTRICT
 - +1. CC to M/S.C.M.ARUMUGAM Advocate SR.No.8857
- RL/ 6C- 26/2/2015

ORDER
IN
CRL OP(MD) No.2930 of 2015
Date :23/02/2015