



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

Tuesday, the Twenty Seventh day of October Two Thousand Fifteen

PRESENT

The Hon`ble Mr Justice K.KALYANASUNDARAM

CRL OP(MD) No.6067 of 2015

1 CHITHRAJOTHI
2 BALAGANESH

... PETITIONERS / ACCUSED No.1 & 2

Vs

State rep.by
THE INSPECTOR OF POLICE
DISTRICT CRIME BRANCH, THOOTHUKUDI DIST,
CRIME NO.20 OF 2015 ... RESPONDENT / COMPLAINANT

S.VASANTHAM @ VASANTHAM SHARMILA
... INTERVENING PETITIONER/DEFACTO COMPLAINANT
in MP.(MD).No.1 of 2015 in CRL.O.P.(MD).6067/15

A.MOHAMED RABIC ... INTERVENE PETITIONER
in MP.(MD).No.2 of 2015 in CRL.O.P.(MD).6067/15

For Petitioner : M/S.S.M.ANANTHA MURUGAN Advocate

For Respondent : Govt. Advocate (Crl. Side)

For Intervener : M/s.A.P.Athithan
in MP.(MD).No.1 of 2015 in CRL.O.P.(MD).6067/15

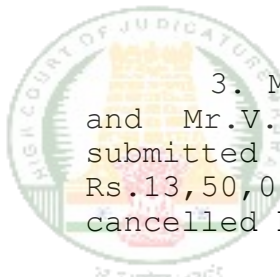
For Intervener : M/s.V.Rajiv Rufus
in MP.(MD).No.2 of 2015 in CRL.O.P.(MD).6067/15

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

ORDER : The Court Made the following order :-

The petitioners, who are arrayed as accused Nos.1 and 2, apprehend arrest at the hands of the respondent police for the alleged offences punishable under Sections 419, 465, 468, 471 and 420 of I.P.C., in Crime No.20 of 2015 on the file of the respondent police and hence, seek anticipatory bail.

2. The petitioners filed an affidavit dated 02.09.2015 stating that after registration of the criminal case, they have cancelled the sale deed executed in favour of the third accused S.Saraswathi on 24.06.2015 and the purchaser of 19 cents viz., Rabitul Bashriya had agreed to cancel the sale deed dated 31.03.2010, after receiving Rs.14 lakhs and he has also issued two cheques bearing Nos.033664 and 033666 dated 22.09.2015 each for Rs.7 lakhs. Since the cheques are dishonoured, the accused 1 and 2 have paid Rs.50,000/- by way of demand draft dated 19.08.2015 and they have agreed to pay the balance amount of Rs.13,50,000/-.



3. Mr.T.R.Subramanian, learned counsel for the de-facto complainant and Mr.V.Rajiv Rufus learned counsel for the subsequent purchaser submitted that the accused 1 and 2 have not paid the balance amount of Rs.13,50,000/- and therefore, the sale deed dated 31.03.2010 was not cancelled by Rabitul Bashriya.

4. Considering the gravity of the offence, the anticipatory bail petition against the accused 1 and 2 is dismissed.

sd/-
27/10/2015

/ TRUE COPY /

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

TO

- 1 THE INSPECTOR OF POLICE
DISTRICT CRIME BRANCH, THOOTHUKUDI DIST
- 2 THE ADDL.PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1cc to Mr.T.R.Subramanian, Advocate Sr.No.62608

Sm:SKS-RR-SAR II:03.11.2015:2P/4C

ORDER
IN
CRL OP(MD) No.6067 of 2015
Date :27/10/2015