

Crl.O.P.Nos.21157, 21158 and 23698 of 2016**R.MALA,J.**

The petitioners apprehend arrest at the hands of the respondent police for the alleged offence punishable under Sections 420, 406, 294(B) IPC read with Section 34 of the Indian Penal Code in Crime No.107 of 2016 on the file of the respondent police and hence, pray for anticipatory bail.

2. The learned counsel for the petitioners would submit that the petitioners were arrayed as A5, A4, A1 and A2, respectively. He would further submit that the case of the prosecution is that the property in question is originally belonged to one Rangan. He is the owner of the property in Survey No.301/2B3 and executed a Power of Attorney in favour of one Ravindran, who was arrayed as A3. He has sold the property to eight persons on 13.2.2014. These petitioners only introduced those eight persons to Ravindran. The petitioners signed the agreement dated 23.01.14, as attestors. They are nothing to do with the commission of offence. But, the said Ravindran, while executing the sale deed, dated 13.2.2014, has mentioned the Survey Number as 301/2B. Subsequently, it came to light that already that property has been sold to 25 persons and patta has been transferred in the name of those 25 persons. Hence, one Prema, the purchaser of the sale deed dated 13.2.2014, from the Power of Attorney of Rangan, namely, Ravindran, has preferred the complaint. On the basis of the said complaint, a case has been registered.

3. The learned Senior counsel appearing for the petitioner in Crl.O.P.No.23698 of 2016 submits that already Ravindran, the Power of Attorney, has been arrested and enlarged on bail. These petitioners are nothing to do with the Commission of offence. They simply introduced the purchasers. He would further submit that Ravindran/A3 has executed the agreement, dated 4.9.2015, in which, he has agreed to re-pay the amount to the purchasers and paid Rs.3 lakhs. The learned Senior counsel would further submit that the said Ravindran/A3 has no connection with Rani and Veeramani. Now the petitioners apprehend arrest at the hands of the respondent and hence, came forward with these petitions for anticipatory bail.

4. Resisting the same, the learned Government Advocate (Crl.Side) would submit that the petitioners are introducers of the purchasers. The property in Survey No.301/2B3 is originally belonged to one Rangan and he executed a Power of Attorney in favour of Ravindran. The said Ravindran plotted out the property, which the defacto complainant and others purchased the same and in that the Survey Number has been wrongly mentioned as 301/2B, instead of 301/2B3. Subsequently, they made enquiry, which reveals that no such property is situated. The said property was merged with Survey No.301/2B3. Ravindran/A3 was arrested and enlarged on bail. These petitioners' applications were already dismissed. There is no change in circumstances. He would further submit that the purchasers are only police officials. The investigation is going on. Hence, he prays for dismissal of the petitions.

5. Considering the rival submissions made by both sides and also on perusal of the typed of papers, the admitted facts are that this Court, by order dated 06.07.2016, granted interim anticipatory bail to Theiventhiran, the petitioner in Crl.O.P.No.21158 of 2016. Subsequently, this Court, by order dated 24.08.2016, dismissed the anticipatory bail petitions filed by all the petitioners. So far, no one has been arrested and that all the transactions are borne out by records. Furthermore, it is submitted that there was a civil dispute pending between the said Rangan and others in O.S.No.1145 of 2016 and that all are borne out by records. The investigation is considerably over. Even though the case has been registered on 21.3.2016, the petitioners are not arrested so far. The respondent police has not taken any effective steps to arrest the petitioners. Therefore, this Court is of the view that merely because, the purchasers are police officials, it is not a ground for denying the anticipatory bail to the petitioners. Hence, I am inclined to grant anticipatory bail to the petitioners.

6. Accordingly, the petitioners are ordered to be released on bail in the event of their arrest or on their appearance before the learned Chief Metropolitan Magistrate Court, Allikulam (the petitioners in Crl.O.P.Nos.21157 and 21158 of 2016) and Chief Metropolitan Magistrate Egmore, Chennai (Petitioners in Crl.O.P.No.23698 of 2016), and on each of them executing a separate 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 on receipt of the summons, the petitioners shall report before the respondent police for interrogation until further orders. The petitioners shall comply with the condition stipulated under Section 438 Cr.P.C. scrupulously.

R.MALA,J.

7. The petitioners shall appear before the concerned Magistrate within a period of 15 days from the date on which the order copy is made ready, failing which, the petition for anticipatory bail shall stand dismissed.

04.11.2016

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