



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

Tuesday, the Nineteenth day of January Two Thousand Sixteen

PRESENT

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

CRL OP(MD) No.19715 of 2015

R. RAJAJI

... PETITIONER / ACCUSED
RANK NOT KNOWN

Vs

THE STATE REP.BY THE INSPECTOR OF POLICE
DISTRICT CRIME BRANCH,
DINDIGUL, DINDIGUL DISTRICT.

... RESPONDENT / COMPLAINANT

For Petitioner : M/S D.SHANMUGARAJA SETHUPATHY Advocate

For Respondent : M/S.K.Anbarasan Government Advocate (Crl. Side)

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

ORDER : The Court Made the following order :-

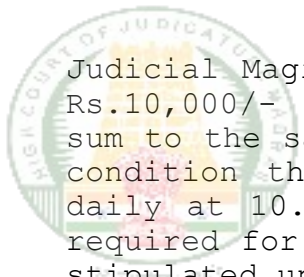
The petitioner, who is arrayed as accused in Crime No. Not known of 2015 on the file of the respondent police, apprehends arrest at the hands of the respondent police for the alleged offences punishable under Section 420 IPC and hence, seeks anticipatory bail.

2. The case of the prosecution is that the petitioner and the defacto complainant entered into an agreement of sale dated 10.10.2013 to sell the property to the third parties and share the profits. Contrary to the said agreement, the petitioner did not give the share to the defacto complainant and on his complaint, the case has been registered for the aforesaid offences.

3. The case of the petitioner is that there is some misunderstanding between the petitioner and the defacto complainant and instead of resolving the same, the defacot complainant has given the complaint and the petitioner is always ready and willing to pay the share amount to the defacto complainant and the petitioner is innocent and the petitioner has not committed any offence as alleged by the prosecution.

4. The learned Government Advocate submitted that the petitioner has entered into an agreement with the defacto complainant and he failed to pay the share of the profit to the defacto complainant as per the agreement and on the petition given by the petitioner, enquiry has been conducted and the same is pending.

5. Considering the facts and circumstances of the case, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on his appearance before the learned



Judicial Magistrate No.II, Dindigul, and 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 for a period of two weeks and thereafter as and when required for interrogation. The petitioner shall comply with the condition stipulated under Section 438 Cr.P.C. Scrupulously.

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6.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/-
19/01/2016

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

TO

- 1 THE JUDICIAL MAGISTRATE, NO.II, DINDIGUL.
 - 2 DO THRO THE CHIEF JUDICIAL MAGISTRATE, DINDIGUL.
 - 3 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.
 - 4 THE INSPECTOR OF POLICE, DISTRICT CRIME BRANCH,
DINDIGUL, DINDIGUL DISTRICT.
- +1. CC to M/S D.SHANMUGARAJA SETHUPATHY Advocate SR.No. 3362.

TS/21.01.2016/2P-6C/AAL-MPA/SAR II

ORDER
IN
CRL OP(MD) No.19715 of 2015
Date :19/01/2016