



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

Tuesday, the Fifteenth day of March Two Thousand Sixteen

PRESENT

WEB COPY

The Hon`ble Mr Justice P.N.PRAKASH

CRL OP (MD) No.21483 of 2014

1 T.B.SAMSU
2 S.PARIMUKILAN
3 MAYADEVI

... PETITIONERS/ACCUSED No.1 to 3

Vs

STATE REP BY THE INSPECTOR OF POLICE
REDDIYARCHATRAM POLICE STATION,
DINDIGUL DISTRICT.
CRIME NO.144 OF 2014

... RESPONDENT/COMPLAINANT

For Petitioner : M/S.A.CHANDRA KUMAR Advocate
For Respondent : MR.A.P.BALASUBRAMANI Govt. Advocate (Crl. Side)

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

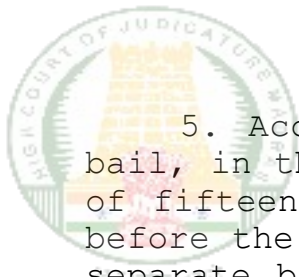
ORDER : The Court Made the following order :-

Apprehending arrest at the hands of the respondent police in Crime No.144 of 2014, on the file of the respondent police for offences under Sections 147, 420, 442, 294(b) and 506(ii) IPC, the petitioners are now before this Court seeking Anticipatory Bail.

2.Heard the learned counsel for the petitioners and the learned Government Advocate (Crl. Side) for the respondent.

3.On a reading of the FIR, it is seen that these petitioners and the de-facto complainant had entered into an agreement of sale way back on 25.10.2012, whereby these petitioners agreed to sell the property of the de-facto complainant for total sale consideration of Rs.73 lakhs. It is alleged by the de-facto complainant that the petitioners received Rs.13 lakhs as advance and had failed to execute the sale deed and that they have sold the portion of the property to some one else. When the matter was referred to the Mediation and Conciliation Centre, these petitioners had paid Rs.8,50,000/- to the de-facto complainant.

4.Taking into consideration the nature of the allegation against the petitioners, this Court is of the view that it is a fit case for grant of anticipatory bail. Accordingly, anticipatory bail is granted, but with conditions.



5. 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, Oddanchatram, on 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 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 petitioners 1 and 2 shall report before the respondent Police everyday at 6.30 p.m. until further orders and the 3rd petitioner shall report before the respondent police as and when required.

[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 compliance report to the office of the learned Government Advocate (Crl. Side) as to whether the petitioners are complying with the condition or not.

sd/-

15/03/2016

/ TRUE COPY /

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

TO

- 1 THE JUDICIAL MAGISTRATE, ODDANCHATRAM
- 2 THE CHIEF JUDICIAL MAGISTRATE, DINDIGUL
- 3 THE INSPECTOR OF POLICE
REDDIYARCHATRAM POLICE STATION, DINDIGUL DISTRICT.
- 4 THE ADDL. PUBLIC PROSECUTOR
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1cc to Mr.A.CHANDRA KUMAR, Advocate Sr.No.14822

ORDER

IN

CRL OP(MD) No.21483 of 2014

Date :15/03/2016