



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

Friday, the Twenty Second day of January Two Thousand Sixteen

PRESENT

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

CRL OP (MD) No.24945 of 2015

1 R.RAKESH
2 G.RAVANAN

... PETITIONERS/ACCUSED No.1 and 2

Vs

STATE REP BY THE INSPECTOR OF POLICE,
THIRUPARANKUNDRAM POLICE STATION, MADURAI
CRIME NO. 424 OF 2015 ... RESPONDENT/COMPLAINANT

For Petitioner : M/S. M.CHELLAPANDIAN Advocate
For Respondent : MR.P.KANNITHEVAN Govt. Advocate (Crl. Side)
For Intervenor : R.R.VINOTH BHARATHI Advocate

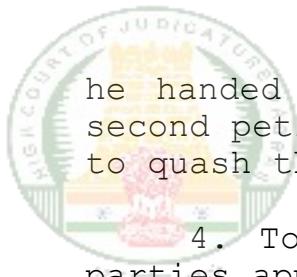
PETITION FOR ANTICIPATORY BAIL Under Sec. 438 Cr.P.C.

ORDER : The Court Made the following order :-

The petitioners, who are arrayed as accused Nos.1 and 2, in Crime No.424 of 2015 on the file of the respondent police, apprehend arrest at the hands of the respondent police for the alleged offences punishable under Sections 294(b), 506(i) and 420 of the Indian Penal Code and hence, seek anticipatory bail.

2. The case of the prosecution is that the defacto complainant is the owner of the property in question. The petitioners agreed to purchase the property for a total sale consideration of Rs.4,80,000/- and the petitioners gave Rs.3,00,000/- to the defacto complainant as advance. Subsequently, the petitioner did not pay the balance sale consideration and did not come to execute the sale deed. When the defacto complainant demanded for execution of sale deed on payment of balance sale consideration, the second petitioner and the brother-in-law of the second petitioner broke open the house and forcibly occupied the property in question. Therefore, on complaint, the case has been registered for the above said offences.

3. When the matter came up for hearing on 21.01.2016, the second petitioner agreed to receive a sum of Rs.3,78,000/- as full and final settlement and on receiving the same, he agreed to hand over the key of the property. In view of the same, the second petitioner handed over the key of the property to the defacto complainant and he has also received the same. On receiving the key,



he handed over Rs.3,78,000/- as full and final settlement to the second petitioner and they have agreed to file a compromise petition to quash the FIR.

4. Today, when the matter is taken up for hearing, both the parties appeared before this Court.

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5. The learned counsel appearing for the Intervenor submitted that the defacto complainant has taken possession of the property in question and the second petitioner received a sum of Rs.3,78,000/- as full and final settlement and both parties agreed to file a compromise petition to quash the FIR.

6. In view of the fact that the parties have settled the matter among themselves and the defacto complainant has taken possession of the property in question and the second petitioner received a sum of Rs.3,78,000/- as full and final settlement and both parties have agreed to file a compromise petition to quash the FIR, I am 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 before the learned Judicial Magistrate No.VI, Madurai and **on executing a personal bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) without sureties.** The petitioners shall comply with the condition stipulated under Section 438 Cr.P.C. scrupulously.

7. The petitioners 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/-
22/01/2016

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

TO

- 1 THE JUDICIAL MAGISTRATE NO.VI,MADURAI
 - 2 THE CHIEF JUDICIAL MAGISTRATE,MADURAI
 - 3 THE INSPECTOR OF POLICE,
THIRUPARANKUNDRAM POLICE STATION, MADURAI
 - 4 THE ADDL PUBLIC PROSECUTOR
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.
- +1. CC to M/S. M.CHELLAPANDIAN Advocate SR.No.3907

ORDER IN
CRL OP(MD) No.24945 of 2015
Date :22/01/2016