



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

Tuesday, the Sixteenth day of August Two Thousand Sixteen

PRESENT

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

CRL OP(MD) No.14212 of 2016

SARAVANAN

... PETITIONER/ACCUSED No.3

Vs

THE STATE REP.BY
THE SUB INSPECTOR OF POLICE,
NATHAM POLICE STATION,
DINDIGUL DISTRICT.
(CRIME NO. 337 OF 2016)

... RESPONDENT/COMPLAINANT

For Petitioner : M/S R.SURESHKUMAR Advocate

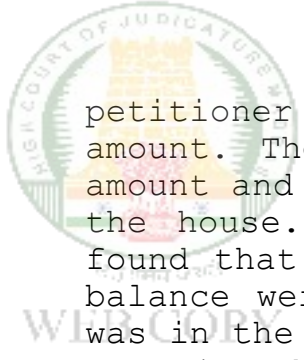
For Respondent : Mr.P.KANNITHEVAN Govt. Advocate (Crl. Side)

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

ORDER : The Court Made the following order :-

The petitioner, who apprehends arrest at the hands of the respondent police for an alleged offence punishable under Sections 294(b), 420, and 506(i) of IPC in Crime No.337 of 2016, seeks anticipatory bail.

2. The case of the prosecution is that the defacto complainant's mother in law is owner of the property measuring an extent of 1 acre and 70 Cents at Saptur Village, Peraiyur Taluk, Madurai District. The petitioner approached the defacto complainant to purchase the property for total sale consideration of Rs.20,50,000/- and gave Rs.3,50,000/- as advance on various dates. The petitioner was very friendly with the defacto complainant and his family members and promised that he will arrange balance Rs.17,00,000/- on the date of registration. The petitioner called the defacto complainant and his mother in law to the Registration office on 28.07.2016 for executing the sale deed. The petitioner also informed the defacto complainant that amount will be given at their house at Poosaripatti Village. The mother-in-law of the complainant executed the sale deed in favour of the petitioner. The next day, A1 and A2 came in Blue colour Indico Car bearing Regn. No.TN 07-AA-4309 and gave a bag and informed that



petitioner gave Rs.17,00,000/- being the balance sale consideration amount. The defacto complainant requested A1 and A2 to count the amount and give the money. They were very restless and ran away from the house. When the defacto complainant started counting it was found that the first note and and last note alone was Rs.500/- and balance were only Rs.100/- and only the total sum of Rs.3,75,500/- was in the bag. The defacto complainant with the help of neighbours got A1 and A2 and handed over to the respondent Police Station. On complaint, a case has been registered for the above said offences.

3. The learned counsel for the petitioner submitted that the petitioner is innocent and he has not committed any offence as alleged by the prosecution and his name has been falsely implicated in this case. He further submitted that the value of the property is only Rs.4,00,000/- and the petitioner gave entire sale consideration to the defacto complainant's mother in law, wife and sister in law on 28.07.2016 itself and they also executed sale deed and the same was registered. At the request of the defacto complainant, the petitioner asked A1 and A2 to drop the defacto complainant, his wife, mother in law and sister in law. At that time the defacto complainant created problem and gave a false complaint. The complaint given by A2's father to respondent police was not registered, due to the fact that the defacto complainant is very influential person.

4. Heard the learned Government Advocate (Crl. Side).

5. Considering the serious nature of allegations against the petitioner and other accused that the petitioner and others after inducing the defacto complainant's mother in law and wife and sister in law to execute the sale deed in their favour and after registration of sale deed did not pay the sale consideration and cheated them, custodial interrogation of the petitioner is required. Hence, this Court is not inclined to grant anticipatory bail to the petitioner. Accordingly, the Criminal Original Petition is dismissed.

sd/-

16/08/2016

/ TRUE COPY /

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

TO

1 THE SUB INSPECTOR OF POLICE,
MATHAM POLICE STATION, DINDIGUL DISTRICT.



2 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

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ORDER

IN

CRL OP (MD) No.14212 of 2016

Date :16/08/2016

trp

SD/SKS-RR/12.09.2016/3P/3C