



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

Friday, the Second day of September Two Thousand Sixteen

PRESENT

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

CRL OP(MD) No.15448 of 2016

1 RAVI

2 PAULRAJ

... PETITIONERS/ACCUSED A1 &A2

Vs

STATE REPRESENTED BY ,
THE INSPECTOR OF POLICE
M.KALLUPATTI POLICE STATION,
MADURAI DISTRICT
CRIME NO. 86 OF 2016

... RESPONDENT/COMPLAINANT

For Petitioner : M/S.P.SENGUTTARASAN Advocate

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

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

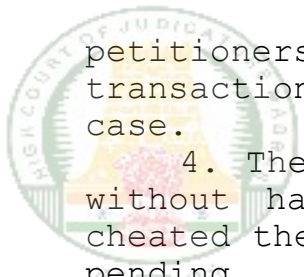
ORDER : The Court Made the following order :-

The petitioners, who arrayed as accused Nos. 1 and 2, apprehend arrest at the hands of the respondent police for an alleged offence punishable under Sections 294(b), 323, 506(ii) and 420 of IPC in Crime No.86 of 2016, seeks anticipatory bail.

2. The case of the prosecution is that A2 informed the defacto complainant that the land in S.Nos.581/2 and 582/1 D measuring an extent 2 acres 64 Cents are belonged to A1 is available for sale. The defacto complainant purchased the said property. On verification in the patta, the lands are in name of one Perumal and Paulraj, S/o. Vellaichammy mentioned as owners. When the defacto complainant went to the property in question, he found that the legal heirs of one Nagaraj, S/o.Muthaiah Nadar, informed that they are the owners of 1 acre 20 cents and they are cultivating the land. When the defacto complainant questioned the petitioners about the same, the petitioners agreed to return the money and subsequently, they did not to do so. On 11.08.2016, when the defacto complainant questioned the petitioners, they abused him in filthy language and threatened with dire consequences and assaulted and tried to kill him. On complaint, a case has been registered against the petitioner.

<https://hcservices.ecourts.gov.in/hcservices/>

3. The learned counsel for the petitioners submitted that the



petitioners are innocent and they have no way connected with the transaction and their names have been falsely implicated in this case.

4. The learned Government Advocate (Crl. Side) submitted that without having any title the petitioners sold the property and cheated the defacto complainant and the investigation of the case is pending.

5. From the records it is seen that the petitioners paid a sum of Rs.50,000/- to the defacto complainant and the petitioners are willing to pay the remaining amount of Rs.2,14,000/- within 10 days and that they will file an affidavit before this Court and seeks time and on his request, the same was posted on 01.09.2016. On 01.09.2016 there was no representation on behalf of the petitioners and hence, the matter is posted today under the caption for dismissal. Today, the learned counsel for the petitioners submitted that the petitioners are not in station and reported no instructions.

6. Considering the serious nature of allegations levelled against the petitioners and facts and circumstances of the case, the custodial interrogation of the petitioners is necessary. Hence, this Court is not inclined to grant anticipatory bail to the petitioners. Accordingly, the Criminal Original Petition is dismissed.

sd/-

02/09/2016

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

TO

- 1 THE INSPECTOR OF POLICE
M.KALLUPATTI POLICE STATION, MADURAI DISTRICT
- 2 THE ADDITIONAL PUBLIC PROSECTUOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

Trp

CSL/DB/SAR-III/21.09.2016: 2P/3C

ORDER

IN

CRL OP(MD) No.15448 of 2016

Date :02/09/2016