



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

Friday, the Sixth day of October Two Thousand Seventeen

PRESENT

The Hon`ble Mr.Justice M.DHANDAPANI

CRL OP(MD) No.12867 of 2017

WEB COPY

1 K.GANESH @ GANESH K.PANDIAN @
GANESH KANAGA PANDIAN

2 K.ARUN

... PETITIONERS/ACCUSED NO.1&2

Vs

THE STATE OF TAMILNADU,
REPRESENTED BY
THE INSPECTOR OF POLICE,
SELLUR POLICE STATION,
MADURAI CITY
(CRIME NO.2871/2016)

... RESPONDENT/COMPLAINANT

For Petitioner : M/S.J.BARATHAN, Advocate

For Respondent : MR.K.ANBARASAN, Government Advocate(Crl.Side)

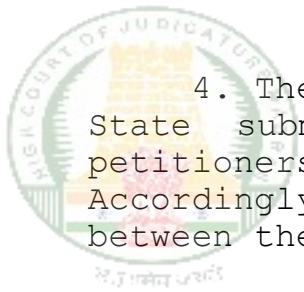
PETITION FOR ANTICIPATORY BAIL Under Sec. 438 Cr.P.C.

ORDER : The Court Made the following order :-

The petitioners, who are arrayed as accused Nos.1 & 2, apprehend arrest at the hands of the respondent police for the offences punishable under Sections 120(b), 203, 406, 468 and 420 of I.P.C., in Crime No.2871 of 2016, on the file of the respondent police, seek anticipatory bail.

2. The case of the prosecution is that the defacto complainant and the petitioners are the relatives. Since, there was a civil dispute pending between them, one Pugalenth, the defacto complainant lodged a complaint before the Law Enforcing Agency as if a sum of Rs.6,00,000/- (Rupees Six lakhs only) had paid to one K.Ganesh @ Ganesh K.Pandian @ Ganesh Kanaga pandian, who is the first accused, towards sale consideration in the subject matter of the property.

3. The learned counsel for the petitioner submitted that the petitioners and the defacto complainant are close relatives. The very same issue settled before this Court. Hence, there is no offence made out against the petitioner and the petitioner falsely implicated in order to settle score in the civil dispute.



4. The learned Government Advocate (Crl.side) appearing for the State submitted that there was a civil dispute between the petitioners and the defacto complainant. They are family members. Accordingly, the civil dispute has been settled before this Court between the petitioners and the defacto complainant.

5. Considering the facts and circumstances of the case and also considering the submission made by the learned Government Advocate (Crl.side) that the civil dispute has been settled before this Court between the petitioners and the defacto complainant, I am inclined to grant anticipatory bail to the petitioners with certain conditions. 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 No.II, Madurai, on condition that the petitioner shall execute a bond for a sum of Rs.25,000/- (Rupees twenty five thousand only) each with two sureties for a like sum to the satisfaction of the respondent Police or to the Police Officer, who intends to arrest or to the satisfaction of the learned Magistrate concerned and on further condition that:

(i) the petitioners/A1 to A2 shall report before the respondent police as and when required for interrogation;

(ii) the petitioners shall not tamper with evidence or witness either during investigation or trial.

(iii) the petitioners shall not commit any offence while on bail;

(iv) On breach of any of the aforesaid conditions, the petition for anticipatory bail stands dismissed.

sd/-
06/10/2017

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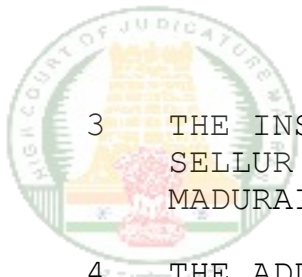
Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

TO

1 THE JUDICIAL MAGISTRATE NO.II, MADURAI.

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

2 THE CHIEF JUDICIAL MAGISTRATE, MADURAI.



3 THE INSPECTOR OF POLICE,
SELLUR POLICE STATION,
MADURAI CITY

4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI

+1. CC to M/S.T.R.JEYAPALAM Advocate SR.No.32358

ORDER

IN

CRL OP(MD) No.12867 of 2017

Date :06/10/2017

PK/CM-MSA/SAR-1/11.10.2017 : 3P/6C