



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

Monday, the Sixth day of November Two Thousand Seventeen

PRESENT

The Hon`ble Mr.Justice M.DHANDAPANI

CRL OP(MD) No.14993 of 2017

NAGARAJAN

... PETITIONER / 2nd ACCUSED

Vs

STATE REP.BY
THE INSPECTOR OF POLICE
KULITHALAI POLICE STATION,
KARUR DISTRICT.
CRIME NO.663 OF 2017

... RESPONDENT / COMPLAINANT

For Petitioner : M/S.V.JANAKIRAMULU Advocate

For Respondent : M/S.K.ANBARASAN, Government Advocate(Crl.Side)

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

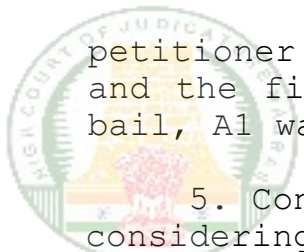
ORDER : The Court Made the following order :-

The petitioner/accused No.2, who apprehends arrest at the hands of the respondent police for the offences punishable under Section 120-B, 406, 420 and 506(i) of IPC, in Crime No.663 of 2017, on the file of the respondent police seeks anticipatory bail.

2.The case of the prosecution is that the petitioner introduced A1 to the defacto complainant for purchasing the property of A1, for which the defacto complainant handed over Rs.4,00,000/- (Rupees four lakhs only) towards sale consideration to A1 in the presence of the petitioner. However the sale deed was not executed. Thereby, the defacto complainant gave a complaint to the law enforcing agency. On Complaint, case has been registered for the above said offences against A1 and this petitioner. A1 was released on bail in Cr.M.P.No.4086 of 2017 by the Sessions Court on 27.10.2017.

3. The learned counsel for the petitioner submitted that the petitioner is an innocent person and he acted as an agent and he only introduced the defacto complainant to the first accused. He further submitted that the petitioner has not committed any offence as alleged by the prosecution and prays for anticipatory bail.

4. The learned Government Advocate (Criminal side) appearing for the respondent submitted that the possession of the property is with the defacto complainant. However, sale deed was not executed by A1 in favour of the defacto complainant. He fairly admitted that the



petitioner was acted as an agent in between the defacto complainant and the first accused. He further submitted that after released on bail, A1 was died.

5. Considering the facts and circumstances of the case and also considering the submission made by the learned Government Advocate (Crl.Side), I am inclined to grant anticipatory bail to the petitioner with certain conditions. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on his 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, Kulithalai, on condition that the petitioner shall execute a bond for a sum of Rs.25,000/- (Rupees twenty five thousand only) with two sureties each 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 petitioner shall report before the investigation officer, daily between 10.00 a.m. and 11.00 a.m., for a period of two weeks;
- (ii) the petitioner shall not tamper with evidence or witness either during investigation or trial.
- (iii) the petitioner shall make himself available for interrogation including custodial interrogation as and when required by the investigation officer;
- (iv) the petitioner shall not commit any offence while on bail;
- (iv) On breach of any of the aforesaid conditions, the learned Magistrate/Trial Court is entitled to take appropriate action against the petitioner in accordance with law and the anticipatory bail granted stands cancelled automatically.

sd/-
06/11/2017

/ TRUE COPY /

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

TO

- 1. THE JUDICIAL MAGISTRATE NO.II, KULITHALAI.
- 2. DO-THROUGH THE CHIEF JUDICIAL MAGISTRATE, KARUR.
- 3. THE INSPECTOR OF POLICE
KULITHALAI POLICE STATION, KARUR DISTRICT.
- 4. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.
- +1. CC to M/S.V.JANAKIRAMULU Advocate SR.No.34061

ORDER IN
CRL OP(MD) No.14993 of 2017
Date :06/11/2017