



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

Thursday, the Seventh day of December Two Thousand Seventeen

PRESENT

The Hon`ble Mr.Justice M.DHANDAPANI

CRL OP(MD) No.16843 of 2017

SIVASUBRAMANIAN

... PETITIONER/ACCUSED NO.5

Vs

THE STATE REP.BY
THE INSPECTOR OF POLICE
DISTRICT CRIME BRANCH (ALGSC)
DINDIGUL DISTRICT
CR NO. 85/2014.

... RESPONDENT / COMPLAINANT

For Petitioner : M/S.N.V.NAGENTHRAN 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 petitioner, who is arrayed as accused no.5, apprehends arrest at the hands of the respondent police for the offences punishable under Sections 406 and 420 of IPC r/w. 4 of Charging Exorbitant Interest and Ordinance Act, 2003, in Crime No.85 of 2014, on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that the de facto complainant has borrowed a sum of Rs.10,00,000/- from A1 and had executed a sale deed in favour of A1, as security, on 22.10.2006, who in turn sold it to A2 on 21.07.2009, who in turn sold it to A3, on 12.04.2010 and thereafter, A3 in turn sold it to A4 on 07.11.2013 in respect of S.No.243/1, to an extent of 1 Acre, out of 2 Acres 28 Cents. The de facto complainant said to have executed the sale deed in favour of A1 for the purpose of security for the loan amount of Rs.10,00,000/-. On complaint, a case has been registered against the petitioners.

3. The learned counsel appearing for the petitioner submitted that the petitioner is an innocent person and he has not committed any offence as alleged by the prosecution and his name has been falsely implicated in this case. He would further



state that co-accused / A4 and A1 have already been granted anticipatory bail and bail by this Court in CrI.O.P(MD). No.11976 and 10437 of 2017 respectively.

4. The learned Government Advocate (CrI.side) appearing for the State submitted that after investigation charge sheet also filed before the competent Court.

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5. Considering the facts and circumstances of the case and also considering the fact that charge sheet has already been filed and that the co-accused were granted anticipatory bail and bail by this Court, 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 on which the order copy is made ready, before the learned Judicial Magistrate No.II, Dindigul and 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 concerned Court, daily between 10.00 am and 11.00 am., until further orders.

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

(iv) the petitioner shall make themselves available for interrogation including custodial interrogation as and when required by the investigation officer;

(v) the petitioner shall not commit any offence while on bail;

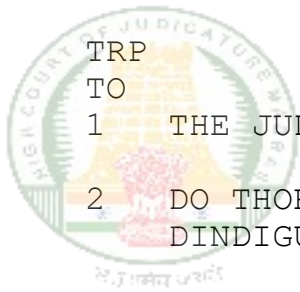
(vi) On breach of any of the aforesaid conditions, the learned Magistrate/Trial Court is entitled to take appropriate action against the petitioners in accordance with law and the anticipatory bail granted stands cancelled automatically.

sd/-

07/12/2017

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



TRP
TO

1 THE JUDICIAL MAGISTRATE NO.II, DINDIGUL

2 DO THOROUGH THE CHIEF JUDICIAL MAGISTRATE
DINDIGUL DISTRICT

3 THE INSPECTOR OF POLICE
DISTRICT CRIME BRANCH (ALGSC)
DINDIGUL DISTRICT.

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

+1. CC to M/S.N.V.NAGENTHRAN Advocate SR.No.91433

GJM/PM/PN/SAR-2-13.12.2017-3P-6C

ORDER

IN

CRL OP(MD) No.16843 of 2017

Date :07/12/2017