



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

Tuesday, the Twenty First day of March Two Thousand Seventeen

PRESENT

The Hon`ble Mrs.Justice J.NISHA BANU

CRL OP(MD) No.3181 of 2017

RAMESH KUMAR

... PETITIONER/ACCUSED NO.I

Vs

STATE THROUGH
THE INSPECTOR OF POLICE
SRIVAIKUNDAM POLICE STATION,
THOOTHUKUDI DISTRICT
CRIMENO.53 OF 2017

... RESPONDENT/COMPLAINANT

For Petitioner : M/S.S.R.A.RAMACHANDHRAN Advocate

For Respondent : MRS.S.PRABHA, Govt. Advocate (Crl. Side)

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

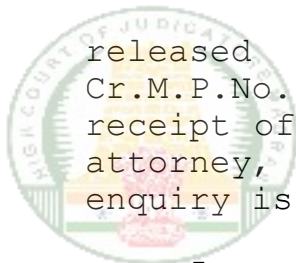
ORDER : The Court Made the following order :-

The petitioner, who is arrayed as accused No.1 in Crime No.53 of 2017 on the file of the respondent police, apprehends arrest at the hands of the respondent police for the alleged offences punishable under Sections 419, 420, 467, 468, 471 and 474 of IPC and hence, seeks anticipatory bail.

2.Heard the learned counsel for the petitioner and the learned Government Advocate(Crl. Side) for the respondent/State.

3.The case of the prosecution is that the petitioner, who stood as power of attorney holder of one Valliammal, W/o.Subbiah Pillai along with other accused, had sold the property to the defacto complainant by a registered sale deed, dated 07.09.2016. Subsequently, the defacto complainant came to know that the said Valiammal is not the owner of the property and it is another Valiammal. So that, he made a release deed on 03.01.2017 for the above said property and thereby the petitioner along with other accused cheated the defacto complainant and caused loss to the tune of Rs.8,40,000/-.

4.The learned Government Advocate(Crl.Side) appearing for the respondent on instructions submitted that there are totally three accused in this case and A2 and A3 were already arrested and



released on bail by the Sessions Court on 08.03.2017 in Cr.M.P.No.816 of 2017. She would further submit that admittedly, on receipt of a sum of Rs.8,40,000/-, the petitioner, being a power of attorney, sold the property to the defacto complainant and that the enquiry is in earlier stage.

5.Considering the facts and circumstances of the case and also considering the fact that the matter seems to be a civil in nature, this Court is 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 before the learned Judicial Magistrate, Srivaikundam and on his executing a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) with two sureties each for a like sum to the satisfaction of the learned Magistrate concerned and on further condition that the petitioner shall appear before the respondent police once in a week i.e. on every Monday at 10.30 a.m., until further orders, for interrogation. The petitioner shall comply with the condition stipulated under Section 438 Cr.P.C. scrupulously.

6.The petitioner shall appear before the concerned Magistrate within a period of 15 days from the date on which the order copy made ready, failing which, the petition for anticipatory bail stands dismissed.

sd/-
21/03/2017

/ TRUE COPY /

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

TO

- 1 THE JUDICIAL MAGISTRATE, SRIVAIKUNDAM, TUTICORIN DISTRICT.
- 2 THE CHIEF JUDICIAL MAGISTRATE, TUTICORIN DISTRICT.
- 3 THE INSPECTOR OF POLICE
SRIVAIKUNDAM POLICE STATION, THOOTHUKUDI DISTRICT
- 4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1. CC to M/S.S.R.A.RAMACHANDHRAN Advocate SR.No.16413

ORDER

IN

CRL OP(MD) No.3181 of 2017

Date :21/03/2017

RJ2

CSL/NPD/SAR-II/28.03.2017 :2P/6C