



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

WEB COPY

CRL OP(MD) No.17346 of 2016

VERRANAN

..PETITIONER/ACCUSED No.2

Vs.

STATE REP.BY
THE INSPECTOR OF POLICE
PERUNGUDI POLICE STATION,
CRIME NO. 266/2016.

..RESPONDENT/COMPLAINANT

For Petitioner : M/S.T.K.GOPALAN Advocate
For Respondent : M/S.K.ANBARASAN, Government Advocate (Crl.Side)
For Intervenor : M/S.R.SRINIVASAN, Advocate

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

ORDER : The Court Made the following order :-

The petitioner, who is arrayed as A2, apprehends arrest at the hands of the respondent police for the offences punishable under Sections 406, 420, 468, 471 and 506(i) r/w 109 IPC, in Crime No.266 of 2016, on the file of the respondent police, seeks anticipatory bail.

2.The case of the prosecution is that the de-facto complainant entered into an agreement for removal of gravel in Survey No.335/2A to an extent of 2 Acres 73 cents, owned by joint pattadar. After entering into the lease agreement, he approached the Revenue Authorities obtaining permission for taking gravel and he came to know that the property already sold to V.G.P House. Hence, he is not able to perform the removal of gravel. Aggrieved for the same, he filed a complaint before the respondent police for cheating.

3.The learned counsel for the petitioner submitted that the petitioner admitted the lease agreement in between the de-facto complainant. However, his share is only Rs.65,000/-.

4.The learned counsel for the intervenor submitted that the total lease amount is Rs.4,50,000/-. However, in order to make the stamp duty, he has shown the amount as Rs.1,50,000/- and he paid Rs.4,50,000/- to the erstwhile joint pattadar.

5.The learned Government Advocate (Crl.side) appearing for the State submitted that the petitioner and the other persons sold the property, in order to cheat the de-facto complainant, the law enforcing agency registered the complaint against the petitioner and other accused and the investigation is still pending.



6.Considering the facts and circumstances of the case, 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, 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 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 deposit a sum of Rs.1,50,000/- (Rupees One Lakh Fifty Thousand only) to the credit of Crime No.266 of 2016 on the file of the learned Judicial Magistrate, Madurai, without prejudice to his defence before the Court concerned and on such deposit, the Magistrate concerned is directed to disburse the same as compensation to the defacto complainant and thereafter, the Magistrate concerned accept the sureties furnished by the accused petitioner.
- (ii) the petitioner shall appear before the investigating Officer as and when required for interrogation;
- (iii) the petitioner shall not tamper with evidence or witness either during investigation or trial.
- (iv) the petitioner shall make himself 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 bail granted stands cancelled automatically.

sd/-
06/10/2017

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TO

1. THE JUDICIAL MAGISTRATE, MADURAI.

2. DO-THROUGH THE CHIEF JUDICIAL MAGISTRATE,
MADURAI.

3. THE INSPECTOR OF POLICE,
PERUNGUDI POLICE STATION.

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

+1. CC to M/S.T.K.GOPALAN Advocate SR.No.32258

ORDER

IN

CRL OP(MD) No.17346 of 2016

Date :06/10/2017

MS/CM-MSA/SAR.1/11.10.2017/3P.6C