

IN THE HIGH COURT OF JUDICATURE AT MADRAS  
( Criminal Jurisdiction )

Thursday, the Twenty Second day of March Two Thousand Eighteen

PRESENT

The Hon`ble Mr Justice R. SURESH KUMAR

CRIMINAL ORIGINAL PETITION No.8439 of 2018

H.MAHABOOB BASHA

[ PETITIONER / ACCUSED ]

Vs

THE INSPECTOR OF POLICE [ RESPONDENT ]  
VANDAVASI SOUTH POLICE STATION,  
TIRUVANNAMALAI DISTRICT,  
CR.NO.100 OF 2018.

For Petitioner : M/S.V.V.SAIRAM Advocate

For Respondent : MR. C.IYYAPPARAJ, Additional Public Prosecutor

For Intervenor : M/S B.JAWAHAR Advocate

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

ORDER : The Court Made the following order :-

This is a petition filed for Anticipatory Bail.

2. The alleged offences against the petitioner are under Sections 420 and 406 I.P.C., in Crime No.100 of 2018 on the file of the respondent Police.

3. Heard Mr.V.V.Sairam, learned counsel for the petitioner, who would submit that the offences alleged against the petitioner is that, the petitioner has received a sum of Rs.3.00 lakhs from the defacto complainant, on account of selling his property to the defacto complainant. But on receipt of the said amount of Rs.3.00 lakhs, the petitioner has not executed the sale deed.

4. The learned Additional Public Prosecutor submitted that it was a complaint of the defacto complainant against the petitioner and the case is under investigation.

5. I have heard Mr.B.Jawahar, learned counsel appearing for the defacto complainant, who would submit that it is a case of non-payment of the amount of Rs.3.00 lakhs as deceptively received from the defacto complainant. The defacto complainant had to face SARFAESI proceedings.

6. The learned counsel for the petitioner further submitted that the petitioner is a Government employee.

7. Considering the above submissions made by the learned counsels appearing for both sides, this Court is inclined to pass the following orders:-

(i) The petitioner in the event of his arrest shall be enlarged on bail on, condition that, he shall execute a bond for a sum of Rs.25,000/-(Rupees Twenty Five Thousand) with two sureties each for a like sum to the satisfaction of the learned Judicial Magistrate, Vandavasi;

(ii) The petitioner shall deposit a sum of Rs.1.5 lakhs, before the concerned jurisdiction Magistrate Court, payable in the account of Crime No.100 of 2018 on the file of the respondent Police within a period of two weeks from the date of receipt of a copy of this order.

(iii) The petitioner shall appear before the respondent police, as and when required.

With these directions and observations, this Criminal Original Petition is ordered.

-sd/-

22/03/2018

This order, on being produced, be punctually observed and carried into execution by all concerned

TRUE COPY

Sub-Assistant Registrar (Statistics/C.S.)  
High Court, Madras - 600 104.

TO

1 THE JUDICIAL MAGISTRATE,  
VANDAVASI

2 THE CHIEF JUDICIAL MAGISTRATE  
TIRUVANNAMALAI (FOR INFORMATION)

3 THE PUBLIC PROSECUTOR  
HIGH COURT, MADRAS.

4 THE INSPECTOR OF POLICE  
VANDAVASI SOUTH POLICE STATION,  
TIRUVANNAMALAI DISTRICT.

CC to M/S.V.V.SAIRAM Advocate on payment of necessary charges  
SR.NO.5633

CRL OP.8439/2018

Date :22/03/2018

rvr 27/03/2018