



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

Saturday, the Seventeenth day of March Two Thousand Eighteen

PRESENT

WEB COPY

The Hon`ble Mr.Justice M.DHANDAPANI

CRL MP(MD) Nos.1035 and 2144 of 2018
IN
CRL OP(MD) No.10593 of 2017

1 J.PRASANTH
2 N.JAYAPRAKASH
3 S.RAJENDRAN

... PETITIONERS/ ACCUSED NO.1 TO 3
IN BOTH THE PETITIONS

Vs

THE STATE REPRESENTED BY,
THE INSPECTOR OF POLICE,
KODAIKANAL POLICE STATION,
DINDIGUL DISTRICT.
IN CRIME NO.158/2017

... RESPONDENT/ COMPLAINANT
IN BOTH THE PETITIONS

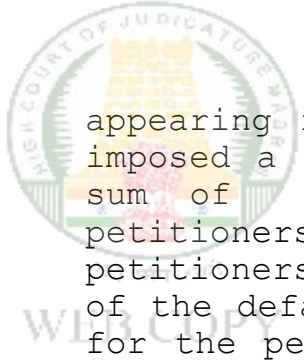
PRAYER IN CRL MP(MD) No.1035 of 2018 IN CRL OP(MD) No.10593 of 2017

Petition praying that in the circumstances stated therein and in the petition filed therewith the High Court may be pleased to modify the condition imposed upon the Defacto-Complainant passed in Crl.OP(MD)No.10593 of 2017 dated 11.12.2017 to repay the sale consideration of Rs.65,00,000/- instead of Rs.51,00,000/- and the 1st and 2nd petitioners may be permitted to cancel the sale deed already executed in favour of the 1st and 2nd petitioners through documents No. 2519 and 2518 respectively dated 10.12.2012.

Prayer in CRL MP(MD) . 2144/ 2018 IN CRL OP(MD) No.10593 of 2017

To extend the time to surrender before the Learned Judicial Magistrate, Kodaikanal as per the order of this Honourable Court passed in Crl.M.P.(MD).No.1036 of 2018 in Crl.O.P.(MD).No.10593 of 2017 dated 15.02.18.

Order : These petitions coming on for orders upon perusing the petitions filed in support thereof and upon hearing the arguments of M/S.C.M.ARUMUGAM, Advocate for the petitioner in both the petitions and of M/S.M.ASOKAN, Government Advocate(Crl.Side) for Respondent in both the petitions and M/S.J.SULTHAN BASHA, Advocate for AJMAL ASSOCATES, for intervenor in both the petitions, the court made the following order:-



appearing for the petitioners/accused would submit that this Court imposed a conditions and directed the defacto complainant to pay a sum of Rs.51,00,000/- (Rupees Fifty One Lakh Only) to the petitioners/accused persons. After receipt of the said amount, the petitioners/accused have to cancel the sale deed executed in favour of the defacto complainant. However, the learned counsel appearing for the petitioners as well as the intervenor/de-facto complainant would submit that the amount received by the defacto complainant is Rs.54,00,000/- (Rupees Fifty Four Lakh Only) has inadvertently been mentioned as Rs.51,00,000/- (Rupees Fifty One Lakh only). The learned counsel appearing for the accused fairly conceded that he will receive a sum of Rs.54,00,000/- (Rupees Fifty Four Lakh Only) from the defacto complainant and after receipt of the said amount, he is ready to cancel the sale deed, dated 15.09.2012. Accordingly, the said conditions are modified as follows:-

(i) The defacto complainant shall repay the amount of Rs.54,00,000/- on or before 10.04.2018. On the date of returning of the said amount, the petitioners shall execute a deed of cancellation.

(ii) the petitioners shall report before the investigation officer, as and when required for interrogation;

(iii) the petitioners shall not tamper with evidence or witness either during investigation or trial.

(iv) the petitioners shall not commit any offence while on bail;

(v) 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.

2.Both the petitions are ordered in the aforesaid terms.

sd/-
17/03/2018

/ TRUE COPY /

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

TO

1. THE JUDICIAL MAGISTRATE, KODAIKANAL,
DINDIGUL DISTRICT.



2. DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
DINDIGUL DISTRICT.

3. THE INSPECTOR OF POLICE,
KODAIKANAL POLICE STATION,
DINDIGUL DISTRICT.

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

+1. C.C. to M/S.C.M.ARUMUGAM Advocate SR.No.4288

ORDER IN
CRL MP(MD) Nos.1035 and 2144 of 2018
IN CRL OP(MD) No.10593 of 2017
Date :17/03/2018

MS/KKR/SAR-JUD/17.03.2018/3P.6C