



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

Tuesday, the Eighteenth day of September Two Thousand Eighteen

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PRESENT

The Hon`ble Mr.Justice G.K.ILANTHIRAIYAN

CRL OP (MD) No.4490 of 2017

1 P.ANBUSELVI

2 PANDIAN @ KALPANDIAN ... PETITIONER / ACCUSED NO 1 AND 2.

Vs

STATE REP BY

THE INSPECTOR OF POLICE,
DISTRICT CRIME BRANCH,
THENI DISTRICT.

(CRIME NO.3 OF 2017)

... RESPONDENT / COMPLAINANT

K.JEYARAJ

... PETITIONER/INTERVENER/DEFACTO
COMPLAINANT
(CRL MP (MD) NO. 3511 OF 2017 IN
CRL OP (MD) NO. 4490 OF 2017)

For Petitioners : MR.R.BALAMURUGANANTHAM Advocate

For Respondent : K.DINESH BABU,
ADDITIONAL PUBLIC PROSECUTOR

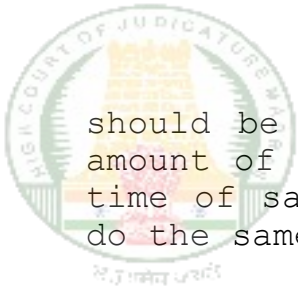
For Intervener : MR..R.SURIYA NARAYANAN

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

ORDER : The Court Made the following order :-

The petitioner who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 341, 294(b), 406, 420 and 506(i) of I.P.C. in Crime No.3 of 2017, seek anticipatory bail.

2.The case of the prosecution is that on 04.09.2014, the de-facto complainant executed a sale agreement with the first petitioner, for that Rs.16,00,000/- (Rupees sixteen lakhs only) was received by the petitioner, out of total consideration amount of Rs.20,00,000/- (Rupees twenty lakhs only) and the sale agreement was also registered on same day with the condition that the sale deed



should be registered within 9 months from today and the remaining amount of Rs.4,00,000/- (Rupees four lakhs only) will be paid at the time of sale deed registration and now, the petitioners refused to do the same and thereby cheated. Hence, the complaint.

3. Heard the learned counsel appearing for the petitioners.

5. The learned counsel for the intervenor/de-facto complainant would submit that the petitioner received a sum of Rs.16,00,000/- (Rupees sixteen lakhs only) from the de-facto complainant for executing a sale deed in his favour. After, that they did not execute the same in favour of the petitioner.

6. The learned Additional Public Prosecutor appearing for the respondent would submit that the investigation is pending.

7. Considering the facts and circumstances, this Court is inclined to grant anticipatory bail to the petitioners with certain conditions. The petitioners are jointly directed to pay a sum of Rs.6,25,000/- (Rupees Six Lakhs Twenty Five Thousand Only) to the de-facto complainant. On such payment the petitioners are ordered to be released on bail in the event of arrest or on their appearance before the learned Judicial Magistrate Court, Theni, and on their executing a bond for a sum of Rs.10,000/- (Rupees ten thousand only) each with two sureties, each for a like sum to the satisfaction of the learned Magistrate concerned and on further condition that the petitioners shall appear before the respondent police daily at 10.30 a.m for a period of two weeks and thereafter, as and when required for interrogation. The petitioners shall comply with the conditions stipulated under Section 438 Cr.P.C. Scrupulously.

6. The petitioners 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 shall stand dismissed.

sd/-
18/09/2018

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

TO



2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
THENI.

3 THE INSPECTOR OF POLICE,
DISTRICT CRIME BRANCH, THENI DISTRICT.

WEB COPY

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

+1. CC to MR.R.BALAMURUGANANTHAM Advocate SR.No.17792
+1. CC to MR.R.SURIYA NARAYANAN Advocate SR.No. 17837

ORDER
IN
CRL OP(MD) No.4490 of 2017
Date :18/09/2018

MSI/PN/SAR-II/27.09.2018-2P/7C