



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

Wednesday, the Twenty Ninth day of August Two Thousand Eighteen

WEB COPY

PRESENT

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

CRL OP (MD) No.15110 of 2018

S.VENKADESAN

... PETITIONER / ACCUSED-2

Vs

THE STATE REP.BY
THE INSPECTOR OF POLICE,
THUVAKKUDI POLICE STATION,
TRICHY DISTRICT.
(CRIME.NO.105/2018)

... RESPONDENT / COMPLAINANT

For Petitioner : Mr.P.SANTHOSHKUMAR Advocate

For Respondent : Mr.V.NEELAKANDAN, Additional Public Prosecutor

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

ORDER : The Court Made the following order :-

The petitioner apprehends arrest at the hands of the respondent police for the offences punishable under Sections 420 and 506 (i) of I.P.C. in Crime No.105 of 2018, on the file of the respondent Police, seeks anticipatory bail.

2. Heard the learned counsel appearing for the petitioner and the learned Additional Public Prosecutor appearing for the respondent.

3. The case of the prosecution is that the first accused offered a false promise to the *de facto* complainant that the accused have owned a property and entered into sale agreement with the *de facto* complainant and received a sum of Rs.1,70,000/- as an advance. Thereafter, the *de facto* complainant came to know that the original owner of the property is some other person. Hence the complaint.

4. The learned counsel appearing for the petitioner would submit that after the complaint, the petitioner repaid a sum of Rs.33,000/- (Rupees Thirty Three Thousand only) and wants to pay the remaining amount of Rs.52,000/- (Rupees Fifty Two Thousand only) to the credit of Crime No.105 of 2018, on the file of the concerned Judicial Magistrate.



5. The learned Additional Public Prosecutor appearing for the respondent would submit that there are two accused in this case, in which the petitioner repaid a sum of Rs.33,000/- to the *de facto* complainant.

6. Considering the facts and circumstances of the case, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions. The petitioner shall deposit the balance amount of Rs.52,000/- (Rupees Fifty Two Thousand only) to the credit of Crime No.105 of 2018, on the file of the concerned Judicial Magistrate, within a period of four weeks from the date of receipt of a copy of this order. On such deposit, the petitioner is ordered to be released on bail in the event of arrest or on his appearance before the learned Judicial Magistrate No.VI, Tiruchirappalli 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 as and when required for interrogation. The petitioner shall comply with the conditions stipulated under Section 438 Cr.P.C. scrupulously.

7. 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 shall stand dismissed.

sd/-

29/08/2018

/ TRUE COPY /

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

TSG
TO

- 1 THE JUDICIAL MAGISTRATE NO-VI, TIRUCHIRAPPALLI.
- 2 THE CHIEF JUDICIAL MAGISTRATE, TIRUCHIRAPPALLI.
- 3 THE INSPECTOR OF POLICE,
THUVAKKUDI POLICE STATION, TRICHY DISTRICT.
- 4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1. CC to M/S.P.SANTHOSHKUMAR Advocate SR.No.16462
PS/RR/SAR-1:04/09/2018:2P/6C

ORDER

IN

CRL OP(MD) No.15110 of 2018

Date :29/08/2018