



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

Thursday, the Sixteenth day of August Two Thousand Eighteen

PRESENT

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

CRL OP(MD) No.13347 of 2018

1 A.ARUN

2 C.VEILMUTHU

... PETITIONERS / ACCUSED
(RANK NOT KNOWN)

Vs

THE STATE REPRESENTED BY,
THE INSPECTOR OF POLICE
THOOTHUKUDI NORTH POLICE STATION,
THOOTHUKUDI, THOOTHUKUDI DISTRICT,
CRIME NO. NOT KNOWN OF 2018

... RESPONDENT / COMPLAINANT

For Petitioners : M/S.A.THIRUVADI KUMAR 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 petitioners apprehend arrest at the hands of the respondent police for the offences punishable under Sections 147, 417, 418, 419, 420, 468, 471, 294(b) and 506(2) IPC, in Crime No.326 of 2018, seek anticipatory bail.

2.The case of the prosecution is that the defacto complainant in the year 2013, approached the third accused to purchase the vacant land to an extent of 15 ½ cents. The sale consideration fixed at Rs.2,00,000/- in which, he paid a sum of Rs.1,75,000/- as an advance to the third accused. The third accused executed a sale agreement on 23.01.2013, in which, the first and second accused signed as witnesses. Thereafter, the defacto complainant paid a sum of Rs.10,000/- to the second accused to fence the property which is the subject land of the agreement. Thereafter, on verification, the defacto complainant found that the documents handed over by the third accused are fabricated one and he has no right or title over the said property. Hence, the complaint.

3.The learned counsel appearing for the petitioners would submit that the first accused is the friend of the third accused and the second accused is the relative of the first accused. They are



innocent persons and they have been falsely implicated in this case. Further, the learned counsel for the petitioners undertakes to deposit a sum of Rs.10,000/- received by A2 from the defacto complainant.

4.The learned Additional Public Prosecutor appearing for the respondent submitted that investigation is still pending.

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5.Considering the facts and circumstances of the case, this Court is inclined to grant anticipatory bail to the petitioners with certain conditions. Accordingly, the second accused is directed to deposit a sum of Rs.10,000/- (Rupees ten thousand only) to the credit of crime No.326 of 2018 on the file of the learned Judicial Magistrate No.III, Thoothukudi and on such deposit, the petitioners are ordered to be released on bail in the event of arrest or on their appearance before the learned Judicial Magistrate No.1, Tuticorin and on his 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/-

16/08/2018

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

TO

- 1 THE JUDICIAL MAGISTRATE NO.I, TUTICORIN.
- 2 -DO- THRO THE CHIEF JUDICIAL MAGISTRATE,
TUTICORIN DISTRICT.
- 3 THE INSPECTOR OF POLICE
THOOTHUKUDI NORTH POLICE STATION,
THOOTHUKUDI DISTRICT.
- 4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1. CC to M/S.A.THIRUVADI KUMAR Advocate SR.No.15672

ORDER

IN

CRL OP(MD) No.13347 of 2018

Date :16/08/2018