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

Wednesday, the Fifth day of September Two Thousand and Eighteen

PRESENT

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

CRL OP(MD) No.15897 of 2018

SAHUL HAMEED ... PETITIONER / ACCUSED NO.1

Vs

STATE REPRESENTED BY,
THE INSPECTOR OF POLICE,
DISTRICT CRIME BRANCH,
MADURAI.
CRÍME NO.19 OF 2018 ... RESPONDENT / COMPLAINANT

For Petitioner : Mr.T.VADIVELAN, 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 120 B and 420 of I.P.C, in Crime No.19 of 2018, seeks anticipatory bail.

2.The case of the prosecution is that the petitioner's father entered into a sale agreement, dated 18.06.2012, registered as Document No.4727 of 2012, with the defacto complainant for the sale of 1250 square feet, out of 1 Acre 6 cents, comprised in S.F.No.104/4A , situated at Peraiyur Bit I Village, Peraiyur Taluk, Maudrai District. He mortgaged the property with the accused Nos.2 and 3, in which, the petitioner is a witness. Thereafter, the petitioner and other accused have conspired themselves and cheated the defacto complainant. Hence, the complaint.

3.The learned counsel appearing for the petitioner would submit that the petitioner's father entered into a sale agreement with the defacto complainant in the year 2012 to sell 3 cents out of 1 acre 6 cents. Thereafter, 93 cents mortgaged with the A2 and A3 in respect of the sale agreement. More over, after period of two years fixed in the sale agreement, the defacto complainant did not cancel the sale consideration till today.

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4.Heard the learned Additional Public Prosecutor appearing for the respondent.

5.Considering the facts and circumstances of the case, this dispute is purely civil in nature, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on his appearance before the learned Judicial Magistrate No.I, Madurai, 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.

6.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/-
05/09/2018

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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,
MADURAI

2.DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
MADURAI.

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

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

+1. CC to Mr.M.SILAMBARASAN, Advocate, SR.No.17031.

ORDER
IN
CRL OP(MD) No.15897 of 2018
Date :05/09/2018

RAM/PN/SAR 1/18.09.2018/2P/6C

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