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

Monday, the Seventeenth day of September Two Thousand and Eighteen

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

CRL OP(MD) No.16008 of 2018

1.MURUGANANTHAM
2.RAMAIAH ... PETITIONERS / ACCUSED NO.1 & 3

Vs

THE STATE REPRESENTED BY,
THE INSPECTOR OF POLICE,
AARAVAYAL POLICE STATION,
SIVAGANGAI DISTRICT,
CRIME NO.70 OF 2018 ... RESPONDENT / COMPLAINANT

For Petitioners : Mr. M.JEGADEESHPANDIAN, 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, who apprehend arrest at the hands of the respondent police for the offences punishable under Sections 420, 342, 294(b) and 506 (ii) of I.P.C. in Crime No.70 of 2018, seek anticipatory bail.

2.The case of the prosecution is that on 30.08.2018, the de-facto complainant lodged a complaint alleging that he had a friendship with first accused. The de-facto complainant purchased two properties through the first accused and further he wanted to purchase their land. Therefore, the first accused said to the de-facto complainant that the property situated at Patharakudi for sale and per acre at about Rs.2,00,000/- is fixed. In order to purchase the property, the de-facto complainant parted a sum of Rs.2,00,000/-. The balance amount of Rs.4,50,000/- is with the defacto complainant. At that time, ten persons looted the said amount and also attacked him and threatened him with dire consequences. Hence, the complaint.

3.The learned counsel appearing for the petitioners would submit the petitioners are innocents. They did not commit any offence as alleged by the prosecution. Moreover, as per the prosecution that the alleged occurrence took place on 18.05.2018 and the present complaint has been lodged only on 30.08.2018. Hence, he prays for anticipatory bail.

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

5.Taking note of the facts and circumstances, this Court is inclined to grant anticipatory bail to the petitioners with certain conditions. Accordingly, the petitioners are ordered to be released on bail in the event of arrest or on their appearance before the learned Judicial Magistrate, Devakottai, Sivagangai District 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 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/-
17/09/2018

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

TO

1.THE JUDICIAL MAGISTRATE,
DEVAKOTTAI, SIVAGANGAI DISTRICT.

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

3.THE INSPECTOR OF POLICE,
AARAVAYAL POLICE STATION,
SIVAGANGAI DISTRICT.

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

+1. CC to M/S. M.JEGADEESHPANDIAN Advocate SR.No.17818.

ORDER
IN
CRL OP(MD) No.16008 of 2018
Date :17/09/2018

RAM/VR MMS/SAR 4/25.09.2018/2P/6C

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