



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

Friday, the Seventh day of September Two Thousand Eighteen

PRESENT

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

CRL OP(MD) No.16095 of 2018

1 NESA RAJ ABHRAHAM
2 JEBA RATHINAM
3 JEBASELVI

... PETITIONERS/ACCUSED 1,2

Vs

STATE REPRESENTED BY
THE SUB INSPECTOR OF POLICE
PERUMALPURAM POLICE STATION,
TIRUNELVELI CITY
IN CRIME NO. 244 OF 2018

... RESPONDENT/ COMPLAINANT

For Petitioner : M/S.T.SELVAN Advocate

For Respondent : Govt. Advocate (Crl. Side)

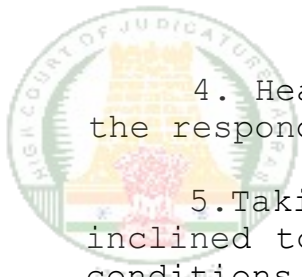
PETITION FOR ANTICIPATORY BAIL Under Sec. 438 Cr.P.C.

ORDER : The Court Made the following order :-

The petitioners apprehend arrest at the hands of the respondent police for the offences punishable under Sections 294(b), 420 and 506 (i) of I.P.C. in Crime No.244 of 2018, seek anticipatory bail.

2.The case of the prosecution is that the petitioners approached the de-facto complainant to sell the land, measuring 11 cents comprised in Survey No.675 at perumalpuram for the report of sale consideration of Rs.28,00,000/-, in which, the first petitioner entered into a sale agreement with the de-facto complainant on 09.07.2018. In view of the said oral sale agreement repaid a sum of Rs.40,000/- to the third petitioner, who is a daughter of the first petitioner. Thereafter, the petitioners demanded further Rs.10,00,000/- for the sale consideration, which is fixed at Rs.28,00,000/- settled for executing a sale deed. Hence, the complaint.

3.The learned counsel appearing for the petitioners would submit that there is absolutely no such agreement for sale. The petitioners never entered into any sale agreement and did not receive any pay slip from the de-facto complainant. Due to previous enmity, he has been falsely implicated in this case. Hence, he prays for anticipatory bail to the petitioners.



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 Court No.I, Tirunelveli 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/-
07/09/2018

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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,
TIRUNELVELI
- 2 THE CHIEF JUDICIAL MAGISTRATE
TIRUNELVELI
- 3 THE SUB INSPECTOR OF POLICE
PERUMALPURAM POLICE STATION, TIRUNELVELI CITY.
- 4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI

+1. CC to M/S.T.SELVAN Advocate SR.No.17188

ORDER
IN
CRL OP(MD) No.16095 of 2018
Date : 07/09/2018