



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

Friday, the Twelfth day of October Two Thousand Eighteen

PRESENT

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

CRL OP(MD) No.17938 of 2018

NALLAPERUMAL PILLAI

... PETITIONER/ ACCUSED

Vs

STATE REP.BY
THE INSPECTOR OF POLICE
CENTRAL CRIME BRANCH,
MADURAI CITY, MADURAI.
IN CRIME NO.38 OF 2018

... RESPONDENT/ COMPLAINANT

RAJAMANICKAM BASKAR

... PETITIONER/ INTERVENOR

AS PER ORDER OF THIS HON`BLE COURT MADE IN
CRL MP(MD)NO.8309 OF 2018 IN
CRL OP(MD)NO.17938 OF 2018, DATED 12.10.2018

For Petitioner : Mr.P.GANAPATHI SUBRAMANIAN, Advocate for
Mr.A.OLI RAJA, Advocate

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

For Intervenor : Mr.B.FAZIL KIRMANI, Advocate

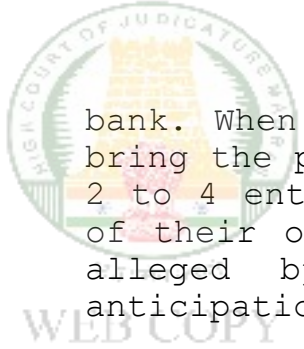
PETITION FOR ANTICIPATORY BAIL Under Sec. 438 Cr.P.C.

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, 465, 468, 471 and 477(A) I.P.C, in Crime No.38 of 2018, seeks anticipatory bail.

2.The case of the prosecution is that the defacto complainant purchased the property through the A2 to A4 on 26.12.2013. After, the defacto complainant found that some third parties claiming right in that property and title of A2 to A4 in the property is not clear. They received a sum of Rs.1,25,00,000/- and Rs.34,51,000/- was transferred from the account of the defacto complainant and his wife to the account of the A2 to A4. Hence, the complaint.

3. The learned counsel appearing for the petitioner would submit that the A2 to A4 mortgaged the property with the State Bank of India in the year 2009 and availed financial assistance from the



bank. When the loan account becomes N.P.A., the Bank take steps to bring the property for sale. The defacto complainant and the accused 2 to 4 entered into a negotiation and purchased their property out of their own choice. He has nothing to do with the allegations as alleged by the prosecution. Hence, he prays for grant of anticipation bail to the petitioner.

4.The learned counsel for the intervenor would submit that the petitioner introduced the A2 to A4 to the defacto complainant, on the assurance of the petitioner, they purchased the said property. After, there was found that some third parties also claiming over right the property. He would further submit that they received a sum of Rs.1,25,00,000/- and Rs.34,51,000/- was transferred from the account of the defacto complainant. Therefore, he vehemently opposed to the grant of anticipatory bail to the petitioner.

5.Heard the learned Government Advocate (Criminal Side) for the respondent.

6.It is seen from the complaint that the allegations lodged in the year 2018 for the occurrence took place in the year 26.12.2013. Further, as far as the petitioner is concerned, he was a Branch Manager of the Bank. Even as per the prosecution, he introduced the A2 to A4 to the defacto complainant. After receipts of the sale process, the said amount was transferred from the account of the defacto complainant and his wife to the account of the A2 to A4.

7.Taking note of the facts and circumstances, 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 daily at 10.30.am., for a period of two weeks, thereafter, as and when required for interrogation. The petitioner shall comply with the conditions stipulated under Section 438 Cr.P.C. scrupulously.

8.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/-
12/10/2018

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TO

1. THE JUDICIAL MAGISTRATE NO.I, MADURAI.
2. DO-THROUGH THE CHIEF JUDICIAL MAGISTRATE,
MADURAI DISTRICT.

WEB COPY

3. THE INSPECTOR OF POLICE
CENTRAL CRIME BRANCH, MADURAI CITY, MADURAI.
4. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1CC TO Mr.P.GANAPATHI SUBRAMANIAN, Advocate, Sr No.19676

ORDER

IN

CRL OP (MD) No.17938 of 2018

Date :12/10/2018

MS/PN/SAR-1/25.10.2018/3P.6C