



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

Thursday, the Eleventh day of October Two Thousand Eighteen
PRESENT

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

CRL OP(MD) No.18226 of 2018

1 AABUBAKKAR SIDDIQ
2 UMMUL NAZIRA BANU

... PETITIONER / ACCUSED NO.1 & 2

Vs

THE STATE REP.BY
THE INSPECTOR OF POLICE,
DISTRICT CRIEM BRANCH,
RAMNAD DISTRICT.
(CRIME NO.11/2018)

... RESPONDENT / COMPLAINANT

For Petitioner : Mr.AJMAL ASSOCIATES Advocate

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

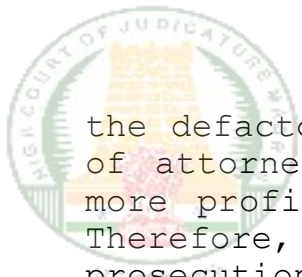
PETITION FOR ANTICIPATORY BAIL Under Sec. 438 Cr.P.C.

ORDER : The Court Made the following order :-

The petitioners/A1 and A21 apprehend arrest at the hands of the respondent police for the offences punishable under Sections 406 and 420 of I.P.C. in Crime No.11 of 2018, seek anticipatory bail.

2.The case of the prosecution is that the 1st petitioner was introduced with the defacto complainant by his brother and the petitioners have approached the defacto complainant in person and invited the defacto complainant to have associate with their real estate building with less investment and get more profit and on believing the same, the defacto complainant paid a sum of Rs.35 lakhs as demanded by the petitioner on 14.08.2006 and on receipt of the same, a partnership deed was prepared and the same was kept under the custody of the 1st petitioners and thereafter, the 1st petitioner has received huge money from the defacto complainant on various installments and thereafter, the land to an extent of 1 acre 25 cents also executed in favour of the 1st petitioner by way of power deed for the business purposes. But, a portion of the above said property was illegally sold out to the third party by the 1st petitioner. Hence, the defacto complainant demanded the first petitioner to repay the amount, but, the 1st petitioner has not paid any amount to the defacto complainant. Hence, the complaint.

3.The learned counsel appearing for the petitioners would submit that the 2nd petitioner is the wife of the 1st petitioner and she has falsely implicated in this case and she has no role in the business transactions. He would further submit that the 1st petitioner neither cheated any amount nor sold out any portion of



the defacto complainant's property and on the strength of the power of attorney, he sold out all the plots to the third parties with more profit and all the transactions were over in the year 2016. Therefore, he is no way connected with the offence as alleged by the prosecution and hence, sought for grant of anticipatory bail.

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4.The learned Additional Public Prosecutor would submit that in this case, already investigation is over and charge sheet has also been filed and the case has been taken cognizance in C.c.No.102 of 2018 by the learned Judicial Magistrate No.2, Ramanathapuram.

5.Considering the facts and circumstances of the case and considering the fact that already investigation is over and the charge sheet has been taken cognizance by the learned Judicial Magistrate No.2, Ramanathapuram, 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 No.2, Ramanathapuram and on each of them 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 trial Court in all the hearing dates, without fail. 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/-

11/10/2018

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

TO

- 1 THE JUDICIAL MAGISTRATE NO-2, RAMANATHAPURAM.
 - 2 THE CHIEF JUDICIAL MAGISTRATE, RAMANATHAPURAM.
 - 3 THE INSPECTOR OF POLICE, DISTRICT CRIME BRANCH,
RAMANATHAPURAM DISTRICT.
 - 4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.
- PS/JC/SAR-4:16/10/2018:2P/5C

ORDER

IN

CRL OP (MD) No.18226 of 2018

Date :11/10/2018