



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

Monday, the Twenty Ninth day of April Two Thousand Nineteen

PRESENT

The Hon`ble Mr.Justice M.DHANDAPANI

CRL OP (MD) No.2943 of 2019

SIVAKUMAR

... PETITIONER/ACCUSED No.1

Vs

STATE REP.BY,
THE INSPECTOR OF POLICE,
DISTRICT CRIME BRANCH,
SIVAGANGAI DISTRICT
CRIME NO.4/2019

... RESPONDENT/COMPLAINANT

CHELLAKKANNU

... PETITIONER/2nd RESPONDENT
in CRL MP (MD) No.3521/2019
in CRL OP (MD) No.2943/2019

For Petitioner : MR.C.M.ARUMUGAM, Advocate

For Respondent : MR.S.CHANDRASEKAR, Additional Public Prosecutor

For Intervenor : MR,K.RAJESHWARAN, Advocate

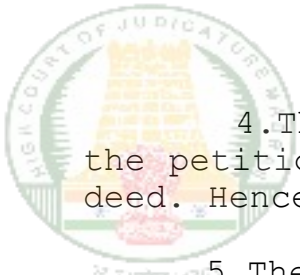
PETITION FOR BAIL Under Sec. 439 Cr.P.C.

ORDER : The Court Made the following order :-

The petitioner, who was arrested and remanded to Judicial custody on 01.02.2019, for the alleged offence punishable under Sections 120 (b), 468, 471 and 420 of IPC in Crime No. 4 of 2019 on the file of the respondent police seeks bail.

2.The case of the prosecution is that the petitioner is A1. One " X" was impersonated as subban who executed sale deed in favour of A1 and thereafter A1 executed power of attorney to A2. A2 intun executed sale deed in favour of A3 and intun A3 executed sale deed again in favour of A2.

3.The learned counsel appearing for the petitioner would submit that A1 was arrested and remanded to judicial custody. Thereafter, the petitioner filed an affidavit before this Court stating that he is ready to cancel the sale deed in Document No.1414 of 2018. Based on the affidavit filed by the petitioner, this Court granted interim bail to the petitioners upto 15.03.2019.



4.The learned counsel for the intervenor would submit that the petitioner did not comply the affidavit and not cancel the sale deed. Hence, he prays vacate the interim bail granted by this Court.

5.The learned Additional Public Prosecutor appearing for the respondent police on instruction would submit that on an earlier occasion the matter was came up for hearing before this Court on 25.02.2019. At that time the petitioner filed an affidavit as he is ready to cancel the sale deed registered in Document No.1414 of 2018 dated 10.05.2018. Based on the affidavit filed by the petitioner, this Court granted interim bail upto 15.03.2019 to the petitioner. But, till date the petitioner had not taken any steps to cancel the sale deed.

5.Considering the facts and circumstances of the case and considering the fact that the the petitioner has already been enlarged on interim bail based on the under taking that he is ready to cancel the sale deed and on further condition to report before the respondent police daily at 10.30 a.m., upto 15.03.2019. However, till date the petitioner has not complied the condition. Hence, the interim bail already granted by this Court shall stand vacated. The respondent police is directed to take appropriate action against the accused for investigation.

6. Hence the bail petition is dismissed.

sd/-

29/04/2019

/ TRUE COPY /

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

TO

- 1.THE INSPECTOR OF POLICE
DISTRICT CRIME BRANCH,
SIVAGANGAI DISTRICT
- 2.THE OFFICER INCHARGE,
SUB-JAIL, SIVAGANGAI
- 3.THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.

ORDER

IN

CRL OP(MD) No.2943 of 2019

Date :29/04/2019 (1/2)