



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED : 21.03.2019

CORAM:

THE HONOURABLE MR. JUSTICE M.DHANDAPANI

CrI.O.P. (MD) .No.20769 of 2018

P.Murugesan ...Petitioner/intervenor/defacto complainant
Vs.

1.S.Meera

2.T.Saravanan ...1st and 2nd respondents/ petitioners/
Accused Nos.1 and 2

3.State represented through
Inspector of Police,
Koodalpudur Police Station,
Madurai. ... 3rd respondent/ Respondent/
Complainant

PRAYER: Criminal Original Petition filed under Section 439 (2) of Cr.P.C., to cancel the anticipatory bail in Cr.M.P.No.6802 of 2017, dated 26.06.2018 on the file of the learned Principal Sessions Court, Madurai.

For Petitioner :Mr.C.Vakeeswaran

For R-1 and R-2 :Ms.Pricilla Jancy
for
Mr.S.Thankaraj

For R-3 :Mr.S.Chandrasekar
Additional Public Prosecutor

O R D E R

Heard the learned counsel for the petitioner; the learned counsel for the respondents 1 and 2 and the learned Additional Public Prosecutor for the third respondent.

2.This petition has been filed by the petitioner / defacto complainant for cancellation of anticipatory bail that has been granted by the learned Principal Sessions Court, Madurai, on 26.06.2018, in Cr.M.P.No.6802 of 2017, wherein the respondents 1 and 2 entered a sale agreement with the petitioner/defacto complainant, on receiving a sum of Rs.4,50,000/- as a sale consideration, however, they did not registered the sale deed, for which, the petitioner has lodged a complaint before the respondent police.

3.The learned counsel for the petitioner/defacto complainant would submit that already the trial Court granted anticipatory bail to the respondents 1 and 2 without considering the materials, with simple conditions. Hence, the petitioner filed this cancellation of bail application before this Court.



4.The learned counsel for the respondents 1 and 2 would submit that though out of Rs.4,50,000/-, the other accused persons returned 1 ½ lakhs and that the respondents 1 and 2 are ready to repay a sum of Rs.2,00,000/-.

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5.The learned counsel for the petitioner conceded the request made by the learned counsel for the respondents 1 and 2.

6.In view of the above, this cancellation of bail application is closed with a direction to the respondents 1 and 2 to deposit the sum of Rs.2,00,000/- within a period of eight weeks from the date of receipt of a copy of this order, failing which, it is open to the Law Enforcing Agency to proceed with the matter in accordance with law.

7.This Court, by order dated 13.03.2019, had issued a non-bailable warrant against the respondents 1 and 2 for their non-appearance. However, today, they appeared in person before this Court as well as through counsel. Hence, the non-bailable warrant issued against them, is hereby recalled.

Sd/-

Assistant Registrar(AD-I)

/True Copy/

Sub Assistant Registrar(CS-)

To

1.The Inspector of Police,
Koodalpudur Police Station,
Madurai.

2.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

+1cc to Mr.T.C.S.THILAI NAYAGAM ,Advocate, SR.No.5363

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SP/08.04.2019/ 2P/4C