



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 24/02/2020

PRESENT

The Hon`ble Mr.Justice G.R.SWAMINATHAN

CRL OP(MD) . No.601 of 2020

Vijaya, ... Petitioner/Accused

Vs

State represented through
The Inspector of Police,
Pamban Police Station,
Ramanathapuram District ,
in Crime No.49/2018.

... Respondent/Complainant

Sudalai ... Intervene Petitioner/Defacto Complainant
in CRL MP(MD) 1620 of 2020
in CRL OP(MD)No.601 of 2020

For Petitioner : M/s.A.Devaki,
Advocate.

For Respondent : Mr.A.Robinson,
Government Advocate (Crl.Side)

For Intervener : Mr.S.Balamurugan, Advocate

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

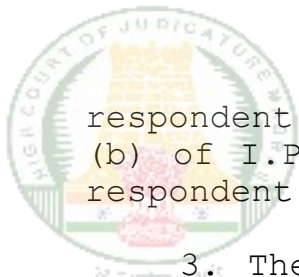
PRAYER :-

For Anticipatory Bail in Cr.No.49 of 2018 on the file of the respondent.

ORDER : The Court made the following order :-

Heard the learned counsel appearing for the petitioner, the learned counsel appearing for the intervener and the learned Government Advocate(Crl. Side) appearing for the respondent.

2. The petitioner apprehending arrest at the hands of the



respondent police for the offences under sections 406, 420 and 294 (b) of I.P.C., in Crime No.49 of 2018 on the file of the respondent police, seeks anticipatory bail.

3. The defacto complainant had sold the school in question to the petitioner for a consideration of a sum Rs.33,00,000/-. It appears that the petitioner had paid only a sum of Rs.20,00,000/-. The remaining amount was withheld for certain reasons. That led to the institution of the case on hand.

4. The petitioner's counsel on instructions states that the petitioner will take a demand draft for a sum of Rs.9,00,000/- favouring the defacto complainant and hand over it to the defacto complainant on or before 20.04.2020. The defacto complainant will receive the same towards full and final settlement of all his claims against the petitioner herein. The defacto complainant would thereupon give a letter to the second respondent for closing the case. Thereupon, the second respondent will file the final report dropping further action in the matter. Since the arrest of the petitioner is not going to take place, there is no need to grant anticipatory bail. If the petitioner fails to adhere to the undertaking now given before this Court, this order will be recalled and the petitioner will be committed to custody.

5. With these observations, this criminal original petition is disposed of.

sd/-

24/02/2020

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/ /2020

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

TO

1. THE INSPECTOR OF POLICE,
PAMBAN POLICE STATION,
RAMANATHAPURAM DISTRICT.

2. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1. CC to Mr.S.Balamurugan, Advocate SR.No.4013

ORDER

IN

CRL OP(MD) No.601 of 2020

Date :24/02/2020

IAS