



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 24/11/2020

WEB COPY

PRESENT

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

CRL OP (MD) .No.830 of 2020

Veeraputhiran

... Petitioner/Accused No.1

Vs

The Inspector of Police,
District Crime Branch,
Virudhunagar District.
Cr.No.1 of 2020.

... Respondent/Complainant

For Petitioner : Mr.T.Lajapathi Roy,
Advocate.

For Respondent : Mr.K.Suyambulinga Bharathi,
Government Advocate (Crl.Side)

For Intervener : Mr.Mohammed Ayub, Advocate

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

PRAYER :-

For Anticipatory Bail in Crime No.1 of 2020 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioner, who is arrayed as Accused No.1, apprehending arrest at the hands of the respondent police for the offence punishable under sections 120 IPC, in Crime No.1 of 2020 on the file of the respondent police, seeks anticipatory bail.

2.The case of the prosecution is that the total sale consideration for the subject property is fixed at Rs.12 Crores, in which, the defacto complainant received a sum of Rs.7 Crores as an advance. For the remaining sale consideration, the petitioner agreed to pay on the date of execution of the sale deed. Out of the said balance, the petitioner has paid a sum of Rs.1 Crore 10 lakhs to the defacto complainant's husband. The remaining sale consideration of Rs.3 Crores 90 lakhs has not been paid by the petitioner.



3.This Court by order dated, 24.02.2020 in CrI.O.P(MD)No.830 of 2020, granted interim anticipatory bail to the petitioner. Now, the learned counsel appearing for the petitioner would submit that the petitioner is ready and willing to pay the balance sale consideration of Rs.3 Crores 90 lakhs.

4.While granting interim anticipatory bail to the petitioner, the original sale deed executed in favour of the petitioner was deposited before the respondent. While extending the interim anticipatory bail to the petitioner, this Court directed the petitioner to pay the balance sale consideration of Rs.3 Crores and 90 lakhs on or before 20.11.2020. Thereafter, the petitioner has also paid the balance consideration of Rs.3 Crores and 90 lakhs by way of demand draft to the defacto complainant and his family members in the following manner:

i.Meharaban Beevi-DD No.336458	- Rs.78,00,000/-
ii.Mohamed Salim - DD No.336456	- Rs.78,00,000/-
iii.Aishah Bee - DD No.336457	- Rs.78,00,000/-
iv.Zareena Beebi - DD No.336454	- Rs.78,00,000/-
v.Kamaruddin - DD No.336455	- Rs.78,00,000/-

Total -	Rs.3,90,00,000/-

5.The learned counsel appearing for the defacto complainant/intervenor also acknowledged the payment made by the petitioner herein.

6.Considering the above facts and circumstances of the case, the interim anticipatory bail earlier granted is made absolute on condition that the respondent is directed to return the original document registered in favour of the petitioner to the petitioner forthwith in addition to the conditions already imposed.

sd/-
24/11/2020

/ TRUE COPY /

/ /2020
Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

Note : In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant concerned.



TO

1. THE JUDICIAL MAGISTRATE No.II,
VIRUDHUNAGAR, VIRUDHUNAGAR DISTRICT.
2. DO-THROUGH : THE CHIEF JUDICIAL MAGISTRATE,
VIRUDHUNAGAR DISTRICT AT SRIVILIPUTTUR.
3. THE INSPECTOR OF POLICE,
DISTRICT CRIME BRANCH,
VIRUDHUNAGAR DISTRICT.
4. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.

ORDER
IN
CRL OP (MD) No.830 of 2020
Date :24/11/2020

VSD
TE/PN/SAR-III : 27/11/2020 : 3P/5C