



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

Date : 02/06/2020

WEB COPY

PRESENT

The Hon`ble Dr.Justice G.JAYACHANDRAN

CRL OP(MD) . No.5503 of 2020

Sivashankaran, ... Petitioner/Accused NO.1

Vs

The State Rep. BY
Inspector of Police,
Appanthiruppathy Police Station,
Madurai District,
Crime No. 113 of 2017.

... Respondent/Complainant

For Petitioner : M/s. K. Kannan,
Advocate.

For Respondent : Mr.A.P.G.Ohm Chairma Prabhu,
Government Advocate (Crl.Side)

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

ORDER : The Court made the following order :-

The petitioner apprehends arrest for the offence under Sections 417,420,465,468 and 506(i) of IPC in Crime No.113 of 2017.

2. The learned counsel for the petitioner would submit that while promoting lay out by the petitioners there was some discrepancy in plot No.825. Plot No.825 was wrongly registered in favour of fourth accused. The defacto complainant who is the original purchaser of Plot Nos. 825 and 826 has given complaint to the police in the year 2017. When the matter was referred



to the mediation the petitioner has come forward to rectify the error and convey the plot to the defacto complainant.

3. The learned Government Advocate(Crl.Side) would submit that though the matter was referred to the mediation centre by the Sessions Court no settlement arrived between the parties. If the petitioner is ready to amicably settle the matter with the defacto complainant, the respondent police will not take any coercive measure.

4. On considering the facts, this Court finds that the property was purchased by the defacto complainant on 01.01.2004 for which complaint was given on 25.05.2017. There is mis-description of the property which has led to the present criminal complaint.

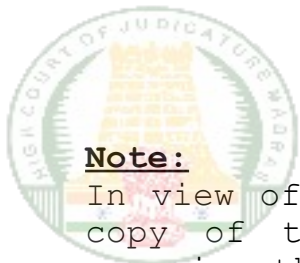
5. The respondent herein shall enquire the matter and file final report based on the materials collected during the investigation. The petitioner shall not be unnecessarily harassed during the enquiry. In case of necessity they shall follow the procedure contemplated under Section 41(A) of Cr.P.C.

6. With the above observation, this Criminal Original Petition is disposed of.

sd/-
02/06/2020

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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 INSPECTOR OF POLICE
APPANTHIRUPPATHY POLICE STATION,
MADURAI DISTRICT,
- 2 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.

ORDER
IN
CRL OP(MD) No.5503 of 2020
Date :02/06/2020

PD/VR/SAR 3/03.06.2020/3P/3C