



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

Date : 07/10/2020

PRESENT

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

CRL OP(MD) . No.6218 of 2020

1. D.John Rajkumar
2. Ganesan

... Petitioners/Accused No.1 & 2

Vs

State Rep. by
The Inspector of Police,
District Crime Branch,
Madurai, Madurai City.
Crime No. 21 of 2020.

... Respondent/Complainant

For Petitioners: M/s.S.Poornachandran, Advocate.

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

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

PRAYER :- To enlarge the Petitioners on bail in the event of their arrest in Cr.No. 21 of 2020 on the file of the Respondent Police.

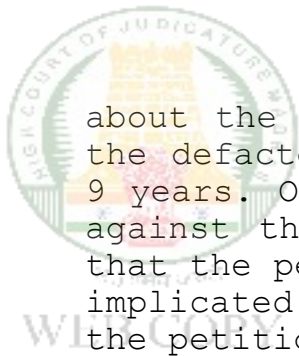
ORDER : The Court made the following order :-

The petitioners apprehending arrest at the hands of the respondent police for the offences punishable under sections 465, 467, 468, 471, 420 and 120 (B) of IPC., in Crime No.21 of 2020, on the file of the respondent police, seek anticipatory bail.

2. The case of the prosecution is that the defacto complainant wife purchased 16 plots from the petitioners who stood as Power Agents for the above said lands by registered sale deed in the year 2010. The defacto complainant's relatives also purchased some of the plots. Thereafter, the defacto complainant came to know that the plots they have purchased was sold already to someone. Hence, the case.

3.Heard the learned counsel appearing for the petitioners and the learned Government Advocate (Crl.Side) appearing for the respondent.

4.The learned counsel appearing for the petitioners would submit that since the defacto complainant was working as Government Employee, he purchased 40 plots in the name of his wife and his



about the fraudulent activities of the land owner of the property, the defacto complainant lodged the present complaint after lapse of 9 years. Originally the defacto complainant lodged the complaint as against the land owner of the property only. He further submitted that the petitioners are innocent persons and they have been falsely implicated in this case. Hence, he prayed to anticipatory bail to the petitioners.

5.The learned Government Advocate (Crl.Side) appearing for the State would submit that the defacto complainant wife purchased 16 plots from the petitioners who stood as Power Agents for the above said lands by registered sale deed in the year 2010. The defacto complainant's relatives also purchased some of the plots. Thereafter, the defacto complainant came to know that the plots they have purchased was already sold to someone. Hence, he opposed to grant anticipatory bail to the petitioners.

6.Considering the above facts and circumstances, the petitioners committed very serious offence and their custodial interrogation is required in this case, this Court is not inclined to grant anticipatory bail to the petitioners.

7.Accordingly, this Criminal Original Petition is dismissed.

sd/-
07/10/2020

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/ /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 INSPECTOR OF POLICE
DISTRICT CRIME BRANCH,
MADURAI, MADURAI CITY.
- 2 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

ORDER
IN
CRL OP(MD) No.6218 of 2020
Date :07/10/2020

dss

<https://hcmvce.org.in/Files/10.2020/2P/3C>