



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 29/10/2020

WEB COPY

PRESENT

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

CRL OP(MD). No.11868 of 2020

Ameer Sathik

... Petitioner/Accused No.3

Vs

The State rep. by
The Inspector of Police,
District Crime Branch,
Ramanathapuram District.
In Crime No.10 of 2019.

... Respondent/Complainant

For Petitioner : M/s.J.M.Hassanul Bazari, Advocate.

For Respondent : Mr.KR.Bharathi Kannan,
Government Advocate (Criminal Side)

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

PRAYER :-

For Anticipatory Bail in Crime No.10 of 2019 on the file of the respondent police.

ORDER : The Court made the following order :-

The petitioner/A-3 apprehending arrest at the hands of the respondent police for the offences punishable under sections 420 of IPC, in Crime No.10 of 2019 on the file of the respondent police, seeks anticipatory bail.

2.The case of the prosecution is that the defacto complainant is a Non-resident Indian and all the accused persons said to have promised to sell 20 cents of land in favour of the defacto complainant and the sale price was fixed as Rs.20 lakhs. Thereafter, all the accused persons received a sum of Rs.5 lakhs as advance, from the defacto complainant. After that the defacto complainant has gone back to Dubai and thereafter, all the accused persons said to have received a sum of Rs.10 lakhs in the year 2018 and subsequently, the defacto complainant came back to India during the year 2018 and requested the accused persons to execute a sale deed and they have also demanded and received a sum of Rs.3 lakhs. Despite the same, the accused persons have failed to execute the sale deed. Hence, a complaint has been registered.



3.Heard the learned Counsel appearing for the petitioner and the learned Government Advocate (criminal side).

4.The learned counsel appearing for the petitioner would submit that the petitioners are innocent persons. He further submitted that the petitioners have not received any amount from the defacto complainant. Hence, he seeks anticipatory bail.

5.The learned Government Advocate (criminal side)appearing for the respondent police would submit that all the accused persons said to have received a total sum of Rs.18 lakhs from the defacto complainant for selling 20 cents of land and thereafter, they failed to execute the sale deed. He further submitted there is no change in circumstances.

6.Taking note of the submission of the learned Government Advocate (criminal side) and considering the fact that there is no change in circumstances, this Court is not inclined to grant anticipatory bail.

7.Accordingly, the Criminal Original Petition stands dismissed.

sd/-

29/10/2020

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

ORDER

IN

CRL OP(MD) No.11868 of 2020

Date :29/10/2020

KSA

<https://hcservices.mca.gov.in/hcservices/>
CRL/MD/OP/11868-11.2020/2P/3C