



IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Monday, the Fourth day of October Two Thousand Twenty One

PRESENT

The Hon`ble Mr Justice M.DHANDAPANI

CRIMINAL ORIGINAL PETITION No.18464 of 2021

1 K.PURUSHOTHAMAN

2 P.SUDHA

[PETITIONERS/ACCUSED]

Vs

THE STATE REP. BY
THE INSPECTOR OF POLICE,
M8, SATHANGADU POLICE STATION,
THIRUVOTTIYUR,
CHENNAI.
CRIME NO.621 OF 2021.

[RESPONDENT/COMPLAINANT]

For Petitioner : M/S.A.R.NIXON, Advocate

For Respondent : MR. C.E.PRATAP, Govt. Advocate (Crl. Side)

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

ORDER : The Court Made the following order :-

The petitioners who apprehend arrest at the hands of the respondent police for the alleged offence under Sections 406, 420, 294(b), 506(i) of I.P.C. in Cr.No.621 of 2021 on the file of the respondent police, seek anticipatory bail.

2.The case of the prosecution is that the defacto complainant entered into sale agreement with the petitioners for a sum of Rs.30 Lakhs and received a sum of Rs.3 Lakhs as advance, however, the petitioners are alleged to have occupied the premises without giving the balance amount.



3.The learned counsel appearing for the petitioners would submit that the petitioners have not committed any offence as alleged by the prosecution. He would further submit that there are two sale agreements. Infact the defacto complainant did not come forward to execute the sale deed in favour of the petitioners. Hence, the petitioners filed a suit for specific performance in O.S.No.47 of 2020 before the learned IV Additional District and Sessions Judge, Ponneri and the same is pending.

4.The learned counsel appearing for the intervenor submitted that the petitioners entered into sale agreement with the defacto complainant and paid a sum of Rs.3 Lakhs and thereafter collected key from the defacto complainant for the purpose of white washing, however, thereafter they illegally occupied the premises.

5.Heard the submissions made by the learned Government Advocate.

6.The petitioners are alleged to have occupied the premises without any sale deed or title. Hence, this Court is not inclined to grant anticipatory bail to the petitioners.

7.This criminal original petition is accordingly dismissed.

-sd/-

04/10/2021

This order, on being produced, be punctually observed and carried into execution by all concerned

TRUE COPY

Sub-Assistant Registrar (Statistics/C.S.)
High Court, Madras - 600 104.

TO

1 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

2 THE INSPECTOR OF POLICE,
M8, SATHANGADU POLICE STATION,
THIRUVOTTIYUR, CHENNAI.

CC to M/S.A.R.NIXON, Advocate on payment of necessary charges

CRL OP.18464/2021

Date :04/10/2021

RW 22/10/2021