



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 20/09/2021

PRESENT

The Hon`ble Mr.Justice B.PUGALENDHI

CRL OP(MD) . No.7397 of 2021

1. M.VeerananAmbalam
2. V.Vinoth

... Petitioners/Accused
No.1 and 2

Vs

State through
The Inspector of Police,
S.S.Colony Police Station,
Madurai City.
(Crime No.196 of 2021)

... Respondent/Complainant

For Petitioner : M/s.Satish Rajkumar.E,Advocate.

For Respondent : M/s.P.Kottai Chamy,
Government Advocate (Crl.Side)

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

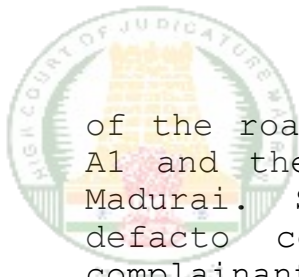
PRAYER :-

For Anticipatory Bail in Crime no.196 of 2021 on the file of the respondent police.

ORDER : The Court made the following order :-

The petitioners, who apprehend arrest at the hands of the respondent police, for the offence punishable under Sections 420, 465, 467, 468 and 471 IPC in Crime No.196 of 2021, on the file of the respondent Police, seek anticipatory bail.

2. The case of the prosecution is that there is a property dispute between the defacto complainant and A1 (who reportedly died on 20.05.2021). Subsequently, there was an agreement reached between them and a sum of Rs.31,54,198/- was awarded in Lok Adalat for acquiring 85 cents by the National Highways Department for extension



of the road. The said amount was credited in the joint account of A1 and the defacto complainant in IDBI Bank, Bypass Road Branch, Madurai. Subsequently, it is alleged that without permission of the defacto complainant, with an intention to cheat the defacto complainant, A1 with the connivance of A2, forged the signature of the defacto complainant and transferred the entire money to his personal account. As per the award passed by the Lok Adalat, the defacto complainant is entitled for 42.5% in the compensation amount. Therefore, the present case has been registered.

3. Considering the nature of allegations, the earlier anticipatory bail petition filed by the petitioners was dismissed by this Court vide order dated 30.04.2021 in CrI.O.P.(MD)No.6240 of 2021. Therefore, the petitioners have filed the second anticipatory bail petition. However, this Court was inclined to entertain this petition on the possibility of the settlement between the parties. Therefore, the matter was referred to the Mediation Centre, vide order dated 09.06.2021 and the interim protection was also granted.

4. After getting interim order from this Court, the petitioners have not taken any steps to resolve the issues. The matter is kept pending for the past three months and it has not been listed before this Court so far.

5. Considering the conduct of the petitioners in obtaining an order of interim protection by submitting that there is a possibility of settlement and thereafter not taking any steps to resolve the issue, this Court is not inclined to grant anticipatory bail to the petitioners.

6. Hence, this Criminal Original Petition is dismissed. However, the petitioners are at liberty to file a fresh application, if so advised.

Sd/-
20/09/2021

/ TRUE COPY /

/ /2021
Sub-Assistant Registrar (C.S.III)
Madurai Bench of Madras High Court,
Madurai - 625 023.

OGY

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,
S.S.Colony Police Station,
Madurai City,
2. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

ORDER
IN
CRL OP(MD) No.7397 of 2021
Date :20/09/2021

SP/JM/SAR III/29/09/2021/3P/3C