



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.8718 of 2021

1. K.Mohamed Mansor
2. Benazir Butto

... Petitioners/Accused No.1 & 2

Vs

State Rep.by
The Inspector of Police,
District Crime Branch,
Ramanathapuram District.
Crime No.24 of 2021.

... Respondent/Complainant

Asan Ali

... Petitioner/ 3rd Party
IN CRL MP(MD)No.4621 of 2021
IN CRL OP(MD). No.8718 of 2021

For Petitioners: Mr.K.R.Laxman, Advocate

For Respondent : Mr.P.Kottai Chamy,
Government Advocate (Crl.Side)

For Intervenor : Mr.RM.Arun Swaminathan, Advocate

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

PRAYER :- For Anticipatory Bail in Crime No.24 of 2021 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioners/A1 and A2, who apprehend arrest at the hands of the respondent Police, for the offence punishable under Sections 420, 417, 109, 294(b) and 506(i) IPC, in Crime No.24 of 2021, on the file of the respondent Police, seek anticipatory bail.

2. Mr.Rm.Arun Swaminathan, learned counsel for the defacto complainant submits that the first petitioner entered into a sale agreement with the defacto complainant for selling his property for a sum of Rs.42,00,000/- and received a sum of Rs.20,00,000/- as advance from him and thereafter, the first accused created a sale deed in favour of his wife, namely, the second accused. Hence, the complaint.



3. Mr.K.R.Laxman, learned counsel, represented that he is intending to file a fresh change of vakalath for the petitioners in this matter and therefore, he requests for short accommodation.

4. When the matter was taken up for hearing on 08.07.2021, the learned counsel appearing for the petitioners submitted that the matter may be referred to the Mediation for settling the issue. Considering the submission made by the learned counsel appearing for the petitioners, the matter was referred to the Mediation Centre and interim protection was also granted.

5. 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 two months and it has not been listed before this Court so far.

6. 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.

7. 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

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/ /2021

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.8718 of 2021
Date :20/09/2021

OGY

<https://hdcvlsr.org.in/Services/2021/2P.3C>