



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 21/12/2021

WEB COPY

PRESENT

The Hon`ble Mr.Justice G.ILANGO VAN

CRL OP (MD) . No.20469 of 2021

Santhakumari

... Petitioner/Sole Accused

Vs

State Represented by
The Inspector of Police,
District Crime Branch,
Pudukkottai District
(Crime No. 17 of 2021).

... Respondent/Complainant

For Petitioner : Mr.Ganapathi Subramanian.P,
Advocate.

For Respondent : Mr.S.S.Madhavan,
Government Advocate (Crl.Side)

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

PRAYER :-

For Anticipatory Bail in Crime No. 17 of 2021 on the file of the respondent Police.

ORDER : The Court made the following order :-

The petitioner/Sole Accused, apprehending arrest at the hands of the respondent police for the alleged offence punishable under Sections 417 and 420 I.P.C, in Crime No.17 of 2021 on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that the defacto complainant had entered into a sale agreement with the petitioner / accused to purchase the property comprised in S.No.125, 126/5 and 129/2 and the sale price was fixed at Rs.26,60,000/- (Rupees Twenty Six Lakhs and Sixty Thousand only) and the accused received an advance of Rs.12,00,000/- (Rupees Twelve Lakhs only) and executed a sale agreement and further received a sum of Rs.6,00,000/- (Rupees Six Lakhs only) on 29.04.2019 to measure the property and failed to execute the sale deed as per the above said agreement. Hence, the complaint.



3. The learned counsel for the petitioner submitted that the petitioner is innocent and he has been falsely implicated in this case.

4. The learned Government Advocate (Crl. Side) for the respondent police submitted that the investigation is pending. It is purely civil dispute between the petitioner and defacto complainant.

5. Considering the fact that the matter can be settled since it is a civil dispute, this Court is inclined to grant anticipatory bail to the petitioner.

6. Accordingly, this Criminal Original Petition is allowed and petitioner is ordered to be released on bail in the event of arrest or on her appearance, before the learned Judicial Magistrate No.II, Pudukottai, on condition that the petitioner shall execute a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) with two sureties each for a like sum to the satisfaction of the learned Magistrate concerned and the petitioner shall appear before the respondent police daily at 10.30 a.m. until further orders. The petitioner shall comply with the condition stipulated under Section 438 Cr.P.C. scrupulously. However, the petitioner shall workout the possibility of settlement with the defacto complainant.

7. The petitioner shall appear before the concerned Magistrate within a period of 15 days from the date on which the order copy made ready, failing which, the petition for anticipatory bail stands dismissed.

Sd/-
21/12/2021

/ TRUE COPY /

/ /2022
Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

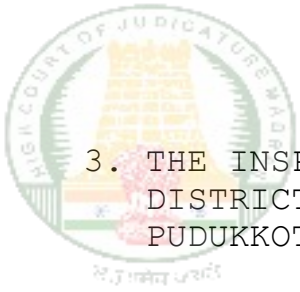
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Note : In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant concerned.

TO

1. THE JUDICIAL MAGISTRATE NO.II, PUDUKKOTTAI.

2. DO-THROUGH THE CHIEF JUDICIAL MAGISTRATE,
PUDUKKOTTAI DISTRICT.



3. THE INSPECTOR OF POLICE,
DISTRICT CRIME BRANCH,
PUDUKKOTTAI DISTRICT.

4. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1 CC to M/s.P.GANAPATHI SUBRAMANIAN, Advocate (SR-9748[I] dated
23/12/2021)

ORDER
IN
CRL OP(MD) No.20469 of 2021
Date : 21/12/2021

VB/JC/SAR-II/05.01.2022/3P/6C