



WEB COPY

CRL OP(MD). N



22

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)

Date : 03/08/2022

PRESENT

The Hon`ble Mr.Justice G.ILANGO VAN

CRL OP(MD) . No.14028 of 2022

1.C.Sasikala

2.P.Sakila

3.M.Shanmugapriya

4.S.Sriram

... Petitioners/Accused (A3 to A6)

Vs

The State Rep. By,
The Sub Inspector of Police,
Nilakottai Police Station,
Nilakottai,
Dindigul District.
(Crime No.66 of 2020)

... Respondent/Complainant

For Petitioners : Mr.S.Vikram
Advocate.

For Respondent : Mr.R.M.Anbunithi,
Additional Public Prosecutor

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

PRAYER :-

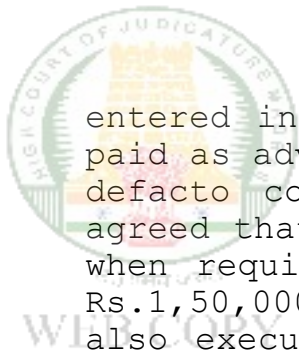
For Anticipatory bail in Crime No.66 of 2020 on the file of the respondent Police.

ORDER : The Court made the following order :-

The petitioners, who apprehend arrest at the hands of the respondent police for the offences punishable under Sections 147, 294(b), 406, 420 and 506(i) of IPC in Crime No.66 of 2020, on the file of the respondent police, seek anticipatory bail.

2.The case of the prosecution is that on 10.10.2014, the defacto complainant and the first accused, namely Subalatha have

<https://www.mhc.tn.gov.in/judis>



entered into a sale agreement. Totally, a sum of Rs.1,50,000/- as paid as advance. The power of attorney was executed in favour of the defacto complainant on the very same date itself. It was also agreed that the balance amount of Rs.4,50,000/- must be paid as and when required. It was only the oral agreement. Later, a sum of Rs.1,50,000/- was received by the first accused. The other sharer also executed a deed in favour of the defacto complainant. After receiving a sum of Rs.6,50,000/-, the first accused has not executed the sale deed and the aforesaid money was not given back. The accused persons joined together and criminally intimidated the defacto complainant and tried to assault him. On the basis of the above said occurrence, the complaint was given by the defacto complainant and that was not properly registered. Later, he approached the concerned Magistrate Court by way of filing the petition under Section 156(3) Cr.P.C. Based upon the direction issued by the Magistrate, the present case has been registered.

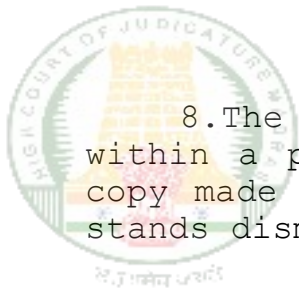
3.The learned counsel for the petitioners submitted that the petitioners are innocents and they have been falsely implicated in this case. He further submitted that the accused Nos.1 and 7 have already been granted anticipatory bail by the learned Principal Sessions Judge, Dindigul, in CrI.M.P.No.965 of 2020, dated 05.08.2022 and the learned Judge has observed that it is purely civil dispute.

4.The learned Additional Public Prosecutor (CrI.Side) appearing for the respondent police would submit that the investigation is going on.

5.On perusal of the records, it shows that there was a civil dispute between the first accused and the defacto complainant and so far these petitioners are concerned, they are the relatives of the first accused, who are also stated to have some share over the aforesaid properties.

6.Considering the facts and circumstances of the case and the limited allegation made against the petitioners as stated above, this Court is inclined to grant anticipatory bail to the petitioners, however, with stringent conditions.

7.Accordingly, the petitioners are ordered to be released on bail in the event of arrest or their appearance, before the learned Judicial Magistrate, Nilakottai and on their executing a bond for a sum of Rs.10,000/-(Rupees Ten Thousand only), each with two sureties, each for a like sum to the satisfaction of the learned Magistrate concerned; and the petitioners shall appear before the respondent police on every Saturday at 10.30 am until further orders. The petitioners shall comply with the conditions stipulated under Section 438 Cr.P.C. scrupulously.



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

sd/-

03/08/2022

WEB COPY

/ TRUE COPY /

/08/2022

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 JUDICIAL MAGISTRATE,
NILAKOTTAI.
2. DO-THROUGH : THE CHIEF JUDICIAL MAGISTRATE,
DINDIGUL DISTRICT.
3. THE SUB INSPECTOR OF POLICE,
NILAKOTTAI POLICE STATION, NILAKOTTAI,
DINDIGUL DISTRICT.
4. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

ORDER

IN

CRL OP(MD) No.14028 of 2022

Date : 03/08/2022

cp

USK/SVR/SAR-IV/11.08.2022/3P/5C