



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

Date : 26/10/2022

WEB COPY

PRESENT

The Hon`ble Mr.Justice A.A.NAKKIRAN

CRL OP(MD). No.17740 of 2022

Duraisamy

... Petitioner/3rd Accused

Vs

The State represented by
The Inspector of Police,
DCB Police Station,
Tirunelveli District.
Crime No.15/2022.

... Respondent/Complainant

For Petitioner : M/s.Jeyakarthik.M.S.,
Advocate.

For Respondent : Mr.M.Muthumanikkam,
Government Advocate (Crl.Side)

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

PRAYER :-

For Anticipatory Bail in Crime No.15 of 2022 on the file of
the respondent Police.

ORDER : The Court made the following order :-

The petitioner/A3, who apprehends arrest at the hands of the
respondent police for the offence punishable under Sections 417,
419, 465, 468, 470, 471, 420 and 120B of IPC in Crime No.15 of 2022
on the file of the respondent police, seeks anticipatory bail.

2.The case of the prosecution is that the de-facto complainant
approached the petitioner for purchasing a land and the petitioner
acted as a broker between A1 and A2 and the de-facto complainant. As
per the above agreement, the de-facto complainant paid a sum of
Rs.8,00,000/- as a sale consideration. Further, one another adjacent
land was also sold by the accused persons to the de-facto
complainant's friend's mother namely, Pushpam for a sale
consideration of Rs.5,00,000/-. Later, they came to know that the
above lands did not belong to the first accused and they were
fraudulent transactions. Hence, the complaint.



3.The learned counsel for the petitioner would submit that pending civil suit in O.S.No.396 of 2022 before the learned II Additional District Munsif Court, Tirunelveli with regard to the disputed property, the present case has been falsely foisted against the petitioner. He would further submit that the petitioner is innocent and he has not committed any offence as alleged by the prosecution. Hence, he prays for anticipatory bail.

4.The learned Government Advocate (Crl. side) would submit that the accused persons had created forged documents and executed the sale deeds in favour of the de-facto complainant along with one Pushpam and also received a sum of Rs.8,00,000/- and Rs.5,00,000/- as sale consideration. The investigation is not yet completed and the custodial interrogation of the petitioner is required in this case. Hence, he strongly opposed to grant anticipatory bail to the petitioner.

5.Considering the facts and circumstances of the case and also considering the facts that the specific overt act against the petitioner and the investigation is not yet completed and the custodial interrogation of the petitioner is very much necessary in this case, this Court is not inclined to grant anticipatory bail to the petitioner.

6.Accordingly, this Criminal Original Petition is dismissed.

sd/-

26/10/2022

/ TRUE COPY /

/11/2022

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

TO

- 1 THE INSPECTOR OF POLICE
DCB POLICE STATION, TIRUNELVELI DISTRICT.
- 2 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.

ORDER

IN

CRL OP(MD) No.17740 of 2022

Date :26/10/2022

SS/GB/SAR II/02/11/2022/ 2P 3C