



CRL OP(MD)No.22012 of 2023

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 07.12.2023

PRESENT

The Hon`ble MR JUSTICE V.SIVAGNANAM

CRL OP(MD)No.22012 of 2023

P.Murugesan

... Petitioner/ Accused No.1

Vs

The Inspector of Police,
City Crime Branch,
Madurai City,
Madurai.

(In Crime No.10 of 2023)

... Respondent/Complainant

For Petitioner : Mr.G.S.Senthilkumar, Advocate

For Respondent : Mr.R.Suresh Kumar,
Government Advocate(Crl.side)

For Intervenor : Mr.K.Palmurugan, Advocate

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

PRAYER :-

For Anticipatory Bail in Crime No.10 of 2023 on the file of the Respondent Police.



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ORDER : The Court made the following order :-

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The petitioner, who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 406, 420, 34 IPC in Crime No.10 of 2023 on the file of the respondent police, seeks anticipatory bail.

2.The case of the prosecution is that the defacto complainant is running a cracker shop at Thanakkankulam. The accused persons approached the defacto complainant by stating that they will lease their land to have a cracker shop. Lease agreement was entered between the parties and the lease amount of Rs.30,00,000/- was transferred to the account of A2 in two instalments. The lease agreement could not be registered since the said property was already mortgaged to a finance company. In the said lease agreement, it is agreed that the land will be given to the defacto complainant and he should construct a building therein and he has to pay 5% of profit to the accused persons every year. Thereafter, the accused persons have not acted as per agreement and therefore, the defacto complainant demanded his amount and the accused persons refused to return the amount and also threatened him with dire consequences. Hence, the case.



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3.The learned counsel appearing for the petitioners would submit that the petitioner is an innocent and he has not committed any offence as alleged by the prosecution. Hence, he seeks anticipatory bail.

4.The learned Government Advocate(Crl.side) appearing for the respondent police would submit that the petitioner herein is the owner of the land and he received money through the account of A2, who is the son of the petitioner herein. Hence, he opposed to grant anticipatory bail to the petitioner.

5.Considering the seriousness of the offence committed by the petitioner, this Court is not inclined to grant anticipatory bail to the petitioner. Accordingly, this criminal original petition is dismissed.

sd/-
07/12/2023

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/12/2023
Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

gns

TO
1.The Inspector of Police,
City Crime Branch,Madurai City,Madurai.

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



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2.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

+1 CC to M/s.K.PALMURUGAN, Advocate (SR-17483[I] dated 08/12/2023)

ORDER
IN
CRL OP(MD) No.22012 of 2023
Date :07/12/2023

RK/VR (27/12/2023) 4P / 4C

Madurai Bench of Madras High Court is issuing certified copies in this format from
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