



WEB COPY



Crl.OP.No.26359 of 2023

Crl.O.P.No.26359 of 2023

and

Crl.MP.No.19058 of 2023

C.V.KARTHIKEYAN,J.

The petitioners/A1 and A2 who apprehend arrest at the hands of the respondent police for the offences punishable under Sections 420, 506(ii), 386, 511 of IPC in Crime No.287 of 2023, seek anticipatory bail.

2.The brief outline are that the defacto complainant claimed title to land measuring about 1.96 acres and wanted to survey the said land. The land is situated at Melvisharam Village in Ranipet District. The defacto complainant claimed that he had purchased the said land from one Salma Banu. When he attempted to lay the stones for measuring the land, the petitioners, who are brothers, objected, claiming title to the said land. The defacto complainant decided to purchase the property from the petitioners herein and had paid a sum of Rs.15,00,000/-. Later the defacto complainant had sold the property to one Kannappa. The quarrel thereafter emanated between the petitioners and the defacto complainant.



CrI.OP.No.26359 of 2023

WEB COPY

The defacto complainant had then lodged a complaint about not return of the said amount of Rs.15,00,000/-.

3. Taking into consideration, the aforementioned facts, this Court by an order dated 01.12.2023 granted interim anticipatory bail to the petitioner till 10.01.2024 and as a condition he had directed the petitioners to deposit a sum of Rs.10,00,000/- to the credit of Cr.No. 287 of 2023 and further directed that the learned District Munsif-Cum-Judicial Magistrate, Arcot to transfer the said amount to interest earning fixed deposit account in any one of the Nationalized Banks and pass final orders on conclusion of trial.

4. Today, it is represented that the said condition imposed on the petitioner by this Court has been complied with. It is has been further stated that in the order dated 01.12.2023 that the respondent must issue notice under Section 41A of Cr.P.C to the petitioner and also to the defacto complainant and direct them to produce the title deeds and thereafter filed a report before this Court.



Crl.OP.No.26359 of 2023

WEB COPY

5. The learned Government Advocate (Crl.Side) stated that the petitioners herein have also title documents to the property in question and the defacto complainant also asserts title. That is an issue which will have to be examined and determined and settled by a Competent Court on analysis of document which have produced. So far as the scope of this Court is concerned it is only examining of grant of anticipatory bail and to that limited extent, the petitioners had exhibited bonafide by depositing a sum of Rs.10,00,000/- before the Court as directed.

6. In view of that particular fact, interim anticipatory bail granted on 01.12.2023 is made absolute with further condition that the petitioner shall appear before the respondent police everyday at 10.30 a.m., until further orders. The sureties already produced may again accepted by the learned District Munsif-Cum-Judicial Magistrate, Arcot provided they extend their bond till the completion of trial. Consequently, the connected miscellaneous petition is closed.

31.01.2024

Vv

3/4



WEB COPY



Crl.OP.No.26359 of 2023

C.V.KARTHIKEYAN,J.

Vv

**Crl.O.P.No.26359 of 2023
and
Crl.MP.No.19058 of 2023**

31.01.2024