



CRL OP(MD) Nos.3769, 3773, 3786 and 3788 of 2024

WEB COPY

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

Tuesday, the Twenty Sixth day of March Two Thousand and Twenty Four

PRESENT

The Hon`ble Mr.Justice M.DHANDAPANI

CRL OP(MD) Nos.3769, 3773, 3786 and 3788 of 2024

VELLAIYAN	... Petitioner / Accused No.21 in CRL OP(MD) No.3769 of 2024
BALAKRISHNAN	... Petitioner / Accused No.21 in CRL OP(MD) No.3773 of 2024
MINNALKODI	... Petitioner / Accused No.21 in CRL OP(MD) No.3786 of 2024
SRINIVASAN	... Petitioner / Accused No.21 in CRL OP(MD) No.3788 of 2024

Vs

THE INSPECTOR OF POLICE
DISTRICT CRIME BRANCH,
TRICHY.
(CRIME NO.10/2024)

... Respondent / Complainant in all petitions

(In all petitions)

For Petitioner : Mr.V.Kathirvelu, Senior Counsel
for Mr.K.Arunraj, Advocate

For Respondent : Mr.P.Kottaichamy,
Government Advocate (Crl. Side)



CRL OP(MD) Nos.3769, 3773, 3786 and 3788 of 2024

PETITIONS FOR ANTICIPATORY BAIL Under Sec. 438 Cr.P.C.

COMMON PRAYER : FOR ANTICIPATORY BAIL IN CRIME NO. 10 OF 2024 ON THE FILE OF THE RESPONDENT POLICE.

COMMON ORDER : The Court Made the following order :-

The petitioners, who apprehend arrest at the hands of the respondent Police for the alleged offence under Sections 120(B), 406, 420, 468, 34 of IPC, in Crime No.10 of 2024, seek anticipatory bail.

2.The case of the prosecution is that the defacto complainant approached the petitioners to purchase their land situated at Mullipadi Village, Musiri Taluk, Trichy District, to that effect, he paid Rs.10,00,000/- as an advance and sale agreement has been executed with the first petitioner that within three months, remaining amount has to be paid and execute a sale deed by the defacto complainant. On request made by the defacto complainant, the first petitioner executed a registered Power of Attorney deed No.2575 of 2020 on 04.09.2020 in favour of the defacto complainant. Thereafter, the petitioners sold the said property to some other persons, thereby, cheated the defacto complainant. Hence, the complaint.

3. The learned counsel appearing for the petitioners would submit that that the petitioners have not committed any offence as alleged by the prosecution and they have been falsely implicated in this case. The petitioners in Crl.O.P(MD) Nos.3769,



CRL OP(MD) Nos.3769, 3773, 3786 and 3788 of 2024

WEB COPY

3773 and 3786 of 2024 are the subsequent purchasers of the disputed property from the accused No.1 and the petitioner in Crl.O.P(MD) No.3788 of 2024 is a witness in the sale deed and except that, there is no allegations made against the petitioners. Further, the first petitioner drawn a Demand Draft for a sum of Rs.20,00,000/-, dated 25.03.2024 in favour of the defacto complainant and the same was handed over to the defacto complainant directly and in Crl.O.P(MD) No.3856 of 2024, vide order dated 26.03.2024, the accused Nos.1 to 3 agreed to deposit a sum of Rs.23,00,000/- in Crime No.10 of 2024 on the file of the respondent Police before the concerned Court. Hence, he prays for grant of anticipatory bail.

4. The learned Government Advocate (Crl.Side) would submit that the investigation is pending. Hence, he opposed to grant anticipatory bail to the petitioners.

5. Considering the facts and circumstances of the case and also considering the fact that the co-accused viz., A1 to A3 granted anticipatory bail by this Court, vide order dated 26.03.2024 on the ground that they paid Rs.20,00,000/- to the defacto complainant by way of Demand Draft and they are agreed to deposit a sum of Rs.23,00,000/- in the Crime No.10 of 2024 before the concerned Court, this Court is inclined to grant anticipatory bail to the petitioners.

6. Accordingly, the petitioners are granted anticipatory bail and they are is



CRL OP(MD) Nos.3769, 3773, 3786 and 3788 of 2024

WEB COPY

ordered to be released on bail in the event of arrest or on their appearance, within a period of fifteen days from the date of receipt of a copy of this order, before the learned Judicial Magistrate, Musiri, Trichy District, on condition that the petitioners shall execute 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 respondent police or the police officer who intends to arrest or to the satisfaction of the learned Magistrate concerned and on further condition that:

(a)if the petitioners failed to surrender before the concerned Magistrate within a period of 15 days from the date of receipt of a copy of this order, this order shall stand automatically cancelled;

(b)the sureties shall affix their photographs and left thumb impression in the surety bond and the Court concerned may obtain a copy of their Aadhar card or Bank pass Book to ensure their identity;

(c)the petitioners shall report before the respondent Police as and when required for interrogation;

(d)the petitioners shall not tamper with evidence or witness either during investigation or trial;

(e)the petitioners shall not abscond either during investigation or trial;

(f)on breach of any of the aforesaid conditions, the learned Magistrate/ Trial



CRL OP(MD) Nos.3769, 3773, 3786 and 3788 of 2024

WEB COPY

Court is entitled to take appropriate action against the petitioners in accordance with law as if the conditions have been imposed and the petitioners released on bail by the learned Magistrate/Trial Court himself as laid down by the Hon'ble Supreme Court in P.K.Shaji Vs. State of Kerala [(2005) AIR SCW 5560]; and;

(g)if the accused thereafter absconds, a fresh FIR can be registered under Section 229-A IPC.

sd/-
26/03/2024

/ TRUE COPY /

/04/2024
Sub-Assistant Registrar
(C.S.I /II /III /IV)
Madurai Bench of Madras High Court,
Madurai - 625 023.

INDU

To

1.The Judicial Magistrate,
Musiri, Trichy District.

2.Do through the Chief Judicial Magistrate,
Trichy District.

3.The Inspector of Police,
District Crime Branch,
Trichy.

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



CRL OP(MD) Nos.3769, 3773, 3786 and 3788 of 2024

+4 CC to M/s.K.ARUNRAJ, Advocate (SR-3727 to 3730[I] dated 26/03/2024)

ORDER
IN
CRL OP(MD) Nos.3769, 3773, 3786 and 3788 of 2024
Date :26/03/2024

ED/ JGB /SAR- (16/04/2024) 6P / 9C

Madurai Bench of Madras High Court is issuing certified copies in this format from
17/07/2023