



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

Tuesday, the Sixteenth day of June Two Thousand Fifteen  
PRESENT

**The Hon`ble Mr Justice K.KALYANASUNDARAM**

CRL OP(MD) No.10755 of 2015

WEB COPY

1 M.BAGAVATHIAPPAN  
2 KAMALAM

... PETITIONERS/ACCUSED  
(RANK NOT KNOWN)

Vs

STATE REP BY  
THE INSPECTOR OF POLICE  
DISTRICT CRIME BRANCH,  
TIRUNELVELI DISTRICT.  
CR. NO.7 OF 2015.

... RESPONDENT/COMPLAINANT

For Petitioner : M/S.K.GOKUL Advocate

For Respondent : MR.K.V.RAJARAJAN Govt. Advocate ( Crl. Side)

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

ORDER : The Court Made the following order :-

The petitioners, who are arrayed as accused Nos.1 and A2 apprehend arrest at the hands of the respondent police for the alleged offence punishable under Section 420 of I.P.C., in Crime No.7 of 2015 on the file of the respondent police and hence, seek anticipatory bail.

2. According to the de-facto complainant, the petitioners executed a power of attorney in favour of one Velandi to deal with their property in Survey Nos.77, 78 and 79 at Thanakarkulam Village, Tirunelveli District and the power of attorney had sold the property to one Shajahan Reality Limited Company by the sale deed dated 06.01.2003 and thereafter, the first accused had executed a settlement deed settling the property in favour of the second accused, who is none other than the husband of the first accused.

3. The learned counsel for the petitioners submitted that the petitioners are innocent and they have been falsely implicated in this case. It is further submitted that despite execution of the power of attorney, the petitioners have been continuously in possession and enjoyment of the same and after lapse of 13 years, the present complaint is given with an ulterior motive. The learned counsel for the petitioner further submitted that it is purely civil transaction and instead of going to the competent Court, the de-facto complainant has approached the respondent to armistice the petitioners to come for a settlement.

4. Heard the learned Government Advocate (Crl.side).

5. Considering the submissions made by the learned Government Advocate (Crl.side), this Court is inclined to grant anticipatory bail to the petitioners with certain conditions. Accordingly, the petitioners are ordered to be released on bail in the event of their arrest or on their appearance before the learned Judicial Magistrate No.I, Tirunelveli and on 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 on further condition that the first petitioner shall appear before the respondent police daily at 10.00 a.m. until further orders and the second petitioner shall appear before the respondent police as and when required. The petitioners shall comply with the condition stipulated under Section 438 Cr.P.C. scrupulously.

6. The petitioners shall appear before the concerned Magistrate within a period of 15 days from the date on which the order copy made ready, failing which, the petition for anticipatory bail stands dismissed.

sd/-  
16/06/2015

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

TO

- 1 THE JUDICIAL MAGISTRATE, NO.I, TIRUNELVELI
- 2 -DO-THRO THE CHIEF JUDICIAL MAGISTRATE TIRUNELVELI
- 3 THE INSPECTOR OF POLICE DISTRICT CRIME BRANCH,  
TIRUNELVELI DISTRICT.
- 4 THE ADDL.PUBLIC PROSECUTOR  
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1. CC to M/S.K.GOKUL Advocate SR.No.31044

ORDER  
IN

CRL OP(MD) No.10755 of 2015  
Date :16/06/2015

NA/KBM/18/06/2015/P2/6C