



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

Tuesday, the Twenty Third day of June Two Thousand Fifteen

PRESENT

The Hon`ble Mr Justice M.M.SUNDRESH

CRL OP(MD) No.11039 of 2015

WEB COPY

1 SHAHUL HAMEED
2 ARUVAGAM
3 PARAMESHWARI
4 MAHALAKSHMI
5 PAPPATHI
6 SUNDARAJ @ SUNDARAM
7 SELVARAJ @ SELVAM
8 CHANDRA
9 INDIRA
10 VELMURUGAN @ VELU
11 MURUGESAN
12 PANCHU @ PANCHAVARANAM

... PETITIONERS/ACCUSED 1-12

Vs

STATE REP BY:: THE INSPECTOR OF POLICE

B1 MELUR POLICE STATION, MADURAI CR.NO.433 OF 2015

... RESPONDENT / COMPLAINANT

For Petitioner : M/S.J.LAWRANCE Advocate

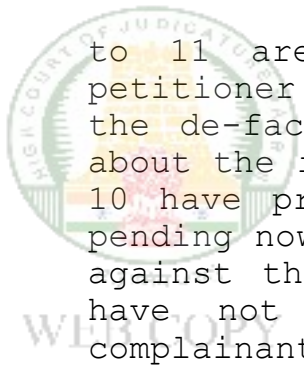
For Respondent : M/s.S.PRABHA, Government Advocate (Crl.Side)

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

ORDER : The Court Made the following order :-

The petitioners/A1 to A12 apprehend arrest at the hands of the respondent police for the alleged offences punishable under Sections 120(b), 406 and 420 IPC, in Crime No. 433 of 2015, on the file of the respondent police and hence, seek anticipatory bail.

2. The learned Counsel appearing for the petitioners submit that the property originally belongs to the complainant's father by name A.K.Mohammed Musthafa. In the year 1952, the complainant's father was allotted the above said property vide his family partition deed. It is further alleged by the de-facto complainant after the demise of her father, the complainant had inherited the said property and sine then she has been in possession and enjoyment of the property. In these circumstances, with the intention to grab the said property, the petitioners 2 to 12 have executed a power of attorney in favour of the first petitioner as if they have title over the property and thereby committed cheating. The petitioners 2



to 11 are close relatives. A complaint given by the tenth petitioner a case was registered in Crime No.460 of 2015 against the de-facto complainant herein and others and on coming to know about the illegal mutation of revenue records, the petitioners 3 and 10 have preferred an appeal before the RDO and the same is also pending now. In such circumstances a false case has been registered against the petitioners. He further submits that the petitioners have not committed any offence as alleged by the de-facto complainant.

3.Heard the learned Government Advocate (Criminal side) appearing for the respondent.

4.Considering the nature of allegation made against the petitioners, this Court is inclined to grant anticipatory bail to the petitioners, with certain conditions.

5.Accordingly, the petitioners 1 to 12 are ordered to be released on bail in the event of their arrest or on their appearance before the learned Judicial Magistrate, Melur, Madurai District, and each of them executing a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) with two sureties each for a like sum to the satisfaction of the learned Magistrate concerned and on further condition that the petitioners shall appear before the respondent police daily at 10.00 a.m. until further orders. However, it is made clear that in pursuant to the power deed executed by the petitioners 2 to 12 shall not be alienate and encumbrance of the property till the final report is filed. The petitioners shall comply with the condition stipulated under Section 438 Cr.P.C. scrupulously.

6.The petitioners 1 to 12 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/-
23/06/2015

/ TRUE COPY /

Sub-Assistant Registrar (C.S.)

TO

- 1 THE JUDICIAL MAGISTRATE MELUR
- 2 THE CHIEF JUDICIAL MAGISTRATE, MADURAI
- 3 THE ADDL. PUBLIC PROSECUTOR
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI
- 4 THE INSPECTOR OF POLICE
B1 MELUR POLICE STATION, MADURAI

+1. CC to M/S.J.LAWRANCE Advocate SR.No.33113

DM 24 JUNE 15

ORDER IN
CRL OP(MD) No.11039 of 2015
Date :23/06/2015

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