



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

Tuesday, the Seventeenth day of November Two Thousand Fifteen

PRESENT

THE HON'BLE MS.JUSTICE V.M.VELUMANI

CRL OP(MD) Nos.11427 and 11923 of 2015

P.SAMUTHIRAVEL @ TITUS

... PETITIONER/ACCUSED NO.2 IN
CRL.OP(MD)NO.11427/2015

G.CHELLATHURAI

... PETITIONER/ACCUSED NO.1
IN CRL.OP(MD)NO.11923/2015

Vs

THE INSPECTOR OF POLICE
NORTH POLICE STATION, TUTICORIN,
(CRIME NO.421 OF 2015).

... RESPONDENT/ COMPLAINANT IN
BOTH THE PETITIONS

K.S.P.S.NATARAJAN TRUST
REPRESENTED BY ITS AUTHORIZED OFFICER
A.SANKARA NARAYANAN

... INTERVENING PETITIONER/
DE-FACTO COMPLAINANT
IN BOTH THE PETITIONS

For Petitioner : M/S.S.MUTHALRAJ Advocate IN BOTH THE PETITIONS

For Respondent : MR.K.ANBARASAN Govt. Advocate (Crl. Side)
IN BOTH THE PETITIONS

FOR Intervener : MR.M.JEGADEESHAPANDIAN Advocate
IN BOTH THE PETITIONS

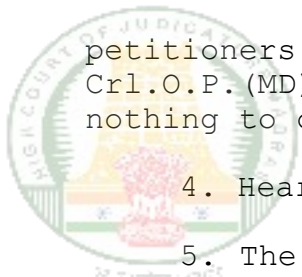
PETITION FOR ANTICIPATORY BAIL Under Sec. 438 Cr.P.C.

ORDER : The Court Made the following order :-

The petitioners, who are arrayed as accused Nos.1 and 2, apprehend arrest at the hands of the respondent police for the alleged offences punishable under Sections 420, 468, 471 and 506(i) of I.P.C., in Crime No.421 of 2015 on the file of the respondent police and hence, seek anticipatory bail.

2. The case of the prosecution is that the petitioners had created forged documents in respect of the property belonging to K.S.P.S. Natarajan Trust. The de-facto complainant, Estate Officer of the Trust gave a complaint against the petitioners and the respondent police registered a case in Crime No.421 of 2015 for the aforesaid offences.

3. The learned counsel for the petitioners submitted that the second accused / petitioner in Crl.O.P.(MD).No.11427 is working as a Principal of the School and he is nothing to do with the alleged offence and the de-facto complainant and the School Management is civil in nature and after a long time, the de-facto complainant claiming right over the site of the School property. The learned counsel for the



petitioners further submitted that the first accused / petitioner in CrI.O.P.(MD).No.11923 is the President of the School Management and he is nothing to do with the alleged offences.

4. Heard the learned counsel for the intervenor.

5. The learned Government Advocate (CrI.side) filed a common counter affidavit and submitted that the investigation is at preliminary stage and several witnesses have to be examined in order to unearth the real facts of the case and some more relevant vital documents are to be collected from various level authorities and documents has to be recovered from the accused persons to find out whether any other accused are involved in this case.

6. Considering the facts and nature of the case, this Court is not inclined to grant anticipatory bail to the petitioner/A1 in CrI.O.P.(MD). No.11923 of 2015 and this Court is inclined to grant anticipatory bail to the petitioner/A2 in CrI.O.P.(MD).No.11427 of 2015 with certain conditions. Accordingly, the petitioner/A2 is ordered to be released on bail in the event of his arrest or on his appearance before the learned Judicial Magistrate No.II, Tuticorin and on his 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 the petitioner shall appear before the respondent police as and when required. The petitioner/A2 shall comply with the condition stipulated under Section 438 Cr.P.C. scrupulously.

7. The petitioner/A2 shall appear before the concerned Magistrate within a period of 15 days from the date on which the order copy is made ready, failing which, the petition for anticipatory bail stands dismissed.

sd/-
17/11/2015

/ TRUE COPY /

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

TO

1. THE JUDICIAL MAGISTRATE NO.II, TUTICORIN
 2. THE CHIEF JUDICIAL MAGISTRATE TUTICORIN DISTRICT
 - 3 THE INSPECTOR OF POLICE,NORTH POLICE STATION, TUTICORIN,
 - 4 THE ADDL PUBLIC PROSECUTOR
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.
- +1. CC to MR.M.JEGADEESHAPANDIAN Advocate SR.No.66171

ORDER
IN
CRL OP(MD) No.11427 AND
11923 of 2015
Date :17/11/2015