



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

Tuesday, the Thirtieth day of June Two Thousand Fifteen
PRESENT

The Hon`ble Mr Justice K.KALYANASUNDARAM

CRL OP(MD) Nos.11490 to 11493 of 2015

WEB COPY

1 RAMAIYAH
2 SIVAGNANAM
3 CHITTI BABU
4 VENUGOPAL
5 SENGUTTUVAN

... PETITIONERS/ACCUSED No.1 TO 5
IN CRL OP(MD)NO.11490/15

1 RAMAIYAH
2 SIVAGNANAM
3 CHITTI BABU
4 VENUGOPAL

... PETITIONERS/ACCUSED No.1 TO 4
IN CRL OP(MD)NOS.11491 TO 11493/15

Vs

STATE REP.BY
THE INSPECTOR OF POLICE,
KOTTAMPATTI POLICE STATION,
MADURAI DT,
(CRIME NO.214/2015 IN CRL OP(MD)NO.11490/15,
CRIME NO.213/2015 IN CRL OP(MD)NO.11491/15,
CRIME NO.215/2015 IN CRL OP(MD)NO.11492/15,
CRIME NO.216/2015 IN CRL OP(MD)NO.11493/15)

... RESPONDENT/COMPLAINANT IN ALL THE PETITIONS

For Petitioners : M/S.V.KANNAN Advocate in all the petitions

For Respondent : MR.K.V.RAJARAJAN, Govt. Advocate (Crl. Side)
in all the petitions

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

ORDER : The Court Made the following order :-

The petitioners in Crl.O.P(MD)No.11490 of 2015, who are arrayed as A1 to A5 and the petitioners in Crl.O.P(MD)Nos.11491 to 11493 of 2015, who are arrayed as A1 to A4 apprehend arrest at the hands of the respondent police for the alleged offences punishable under sections 420, 452, 294(b), 323 and 506(i) IPC, in Crime No.214 of 2015 and under sections 420 and 506(i) of IPC, in Crime Nos.213, 215 and 216 of 2015 on the file of the respondent police and hence, seek anticipatory bail respectively.

2.According to the de-facto complainants, they purchased properties from the power of attorney of A1 viz., Ukresan in the year 2000. While so, A1 had cancelled the power of attorney, dated 11.02.200 issued in favour of Ukresan on 07.07.2010 and gave another power of attorney in favour of A2 and on 19.06.2015, all the accused trespassed into the houses of the de-facto complainants and also threatened to dispossess them.



3.The learned counsel for the petitioners submitted that the petitioners are innocent persons and they have not committed any offence as alleged by the prosecution. He further submitted that A1 is the absolute owner of the property and A2 is the power holder of the property and the other accused are witnesses to the documents and the de-facto complainants have encroached upon the property of A1 and put up constructions thereon and even as per the averments in the complaints, they did not get the sale deeds registered in their favour.

4.The learned Government Advocate (Criminal side) appearing for the respondent submitted that the petitioners, without having any right over the property, executed the power of attorney and also attempted to grab the property of the de-facto complainants.

5.Considering the above facts and circumstances of the case, this Court is inclined to grant anticipatory bail to the petitioners with certain conditions.

6.Accordingly, the petitioners are ordered to be released on bail in the event of arrest or on their appearance before the learned Judicial Magistrate, Melur and on each of them executing a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) with two common 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. for a period of two weeks and thereafter as and when required for interrogation. The petitioners shall comply with the condition stipulated under Section 438 Cr.P.C. scrupulously.

7.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/-
30/06/2015

/ TRUE COPY /

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

TO

- 1 THE JUDICIAL MAGISTRATE, MELUR, MADURAI DISTRICT.
 - 2 DO-THRO' THE CHIEF JUDICIAL MAGISTRATE, MADURAI DISTRICT.
 - 3 THE INSPECTOR OF POLICE, KOTTAMPATTI POLICE STATION, MADURAI DT.
 - 4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.
- +4 CCs to M/S.V.KANNAN Advocate SR.Nos.35104, 35279, 35276 & 35278

ORDER
IN

CRL OP(MD) No.11490 to 11493 of 2015
Date : 30/06/2015