



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

Monday, the Twenty Seventh day of July Two Thousand Fifteen

PRESENT

The Hon`ble Mr Justice K.KALYANASUNDARAM

CRL OP(MD) No.11880 of 2015

RAMIAH

... PETITIONER/SOLE ACCUSED

Vs.

STATE REP.BY
THE INSPECTOR OF POLICE
ERAL POLICE STATION,
THOOTHUKUDI DISTRICT.
CRIME NO.135 OF 2015

... RESPONDENT / COMPLAINANT

For Petitioner : M/S.S.DEENADHAYALAN 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 petitioner, who is arrayed as the sole accused, apprehends arrest at the hands of the respondent police for the alleged offence punishable under Sections 447, 420 and 468 of I.P.C. in Crime No.135 of 2015 on the file of the respondent police and hence, seeks anticipatory bail.

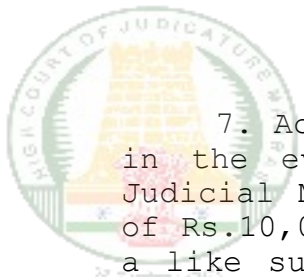
2.According to the de-facto complainant, the accused have encroached upon her property and also claiming right by fabricating documents.

3.The learned counsel for the petitioner submitted that the petitioner had entered into an agreement of sale with the father of the de-facto complainant on 26.04.2004 agreeing to purchase the property at the rate of Rs.1,000/- per cent and also paid Rs.1,31,000/- towards advance. The agreement was entered into only for the marriage expenses of the de-facto complainant.

4.It is further contended that in pursuance of agreement, the petitioner was put in possession of the property and ever since, he has been in possession and enjoyment of the property, but after 11 years, the present complaint is given with an ulterior motive.

5.The learned Government Advocate (Crl.side) submitted that the accused have obtained patta in his favour by creating forged documents.

<https://hcservices.ecourts.gov.in/hcsservices/>
6.Considering the facts and circumstances of the case, this Court is inclined to grant anticipatory bail to the petitioner, with certain conditions.



7. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on his appearance before the learned Judicial Magistrate, Srivaikundam and on 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 petitioner 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 petitioner shall comply with the condition stipulated under Section 438 Cr.P.C. scrupulously.

8. The petitioner 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/-

27/07/2015

/ TRUE COPY /

Sub-Assistant Registrar

TO

1 THE JUDICIAL MAGISTRATE,
SRIVAIKUNDAM.

2 -DO- THRO' THE CHIEF JUDICIAL MAGISTRATE
TUTICORIN.

3 THE ADDITIONAL PUBLIC PROSECUTOR
MADURAI BENCH OF MADRAS HIGH COURT MADURAI

4 THE INSPECTOR OF POLICE
ERAL POLICE STATION, THOOTHUKUDI DISTRICT.

+1. CC to M/S.S.DEENADHAYALAN Advocate SR.No.41898

Akm/29.07.15 /2p-6c/

ORDER

IN

CRL OP(MD) No.11880 of 2015

Date :27/07/2015