



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

Wednesday, the Eighth day of July Two Thousand Fifteen
PRESENT

The Hon`ble Mr Justice K.KALYANASUNDARAM

CRL OP(MD) No.11912 of 2015

WEB COPY

M. DURAI

... PETITIONER/ACCUSED RANK NOT KNOWN

Vs

STATE REP.BY
THE INSPECTOR OF POLICE
DISTRICT CRIME BRANCH, MADURAI,
CRIME NO.38/2015

... RESPONDENT/COMPLAINANT

For Petitioner : M/S.K.PRABHU 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 A1 apprehends arrest at the hands of the respondent police for the alleged offences punishable under sections 120(b), 417, 420, 423, 424, 426, 465, 468 and 471 of IPC, in Crime No.38 of 2015 on the file of the respondent police and hence, seeks anticipatory bail.

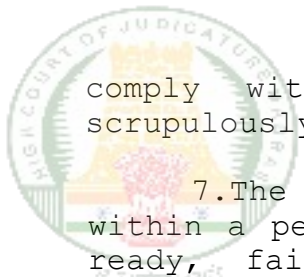
2.The case of the prosecution is that A1 by creating forged document sold the property of the de-facto complainant to A2 to A5 without having any right.

3.Mr.V.Kathirvelu, learned Senior counsel appearing for the petitioner submitted that the petitioner had purchased the property in dispute in the year 1947 through a registered sale deed and he sold the same to A2 to A5 by a registered sale deed in the year 1988 and after a lapse of 25 years, this present complaint was given by the de-facto complainant alleging that survey number was challenged from S.F.No.47/1 to 47/1B and he is the owner of the property. The learned Senior counsel further submitted that the petitioner is an innocent person and he has not committed any offence as alleged prosecution.

4.The learned Government Advocate (Criminal side) submitted that A1 without having any right in the property comprised in S.F.Nos.47/1 and 47/12 sold the same to the other accused and thereby cheated the de-facto complainant.

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

6.Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on his appearance before the learned Judicial Magistrate No.1, Madurai 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 on further condition that the petitioner shall appear before the respondent police daily at 10.00 a.m. until further orders. The petitioner shall



comply with the condition stipulated under Section 438 Cr.P.C. scrupulously.

7. 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.

WEB COPY

sd/-
08/07/2015

/ TRUE COPY /

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

TO

1 THE JUDICIAL MAGISTRATE NO.I,
MADURAI.

2 DO-THRO' THE CHIEF JUDICIAL MAGISTRATE
MADURAI DISTRICT.

3 THE INSPECTOR OF POLICE
DISTRICT CRIME BRANCH, MADURAI.

4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.

+1. CC to M/S.K.PRABHU Advocate SR.No.37816

ORDER
IN
CRL OP(MD) No.11912 of 2015
Date :08/07/2015

PA/SJW/13.07.2015/2P/6C