



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

Tuesday, the Twenty First day of July Two Thousand Fifteen

PRESENT

The Hon`ble Mr Justice K.KALYANASUNDARAM

WEB COPY

CRL OP (MD) Nos.12218 and 12917 of 2015

- 1 T. SINGAM
- 2 T. CHITHIRAI
- 3 PERUMAL

... PETITIONERS/ACCUSED RANK NOT KNOWN IN OP 12218 OF 2015

- 1 P.AZHAGAMMAL
- 2 P.JEGAN
- 3 C.PANJAVARNAM
- 4 J.VASUGI
- 5 C. SATHIYA

... PETITIONERS/ACCUSED OP 12917 OF 2015
Vs

STATE REP BY:

THE SUB INSPECTOR OF POLICE

GUDALORE POLICE STATION, UTHAMAPALAYAM TALUK, THENI

CR NO. 104/2015

... RESPONDENT / COMPLAINANT
IN OP 12218 OF 2015

THE SUB INSPECTOR OF POLICE,
GUDALORE SOUTH POLICE STATION,
UTHAMAPALAYAM, THENI DISTRICT.

CR NO. 104/2015

... RESPONDENT / COMPLAINANT
IN OP 12917 OF 2015

For Petitioner : M/S.K.APPADURAI Advocate IN BOTH OP'S

For Respondent : Mr.K.V.RAJARAJAN, Government Advocate (Crl.Side)
IN BOTH OP'S

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

ORDER : The Court Made the following order :-

The petitioners, who are arrayed as accused in Crime No.104 of I.P.C on the file of the respondent police apprehend arrest at the hands of the respondent police for the alleged commission of offence under Sections 452, 294(b), 323, 427, 506(ii) and 379 (NP) of I.P.C and hence, seek anticipatory bail.



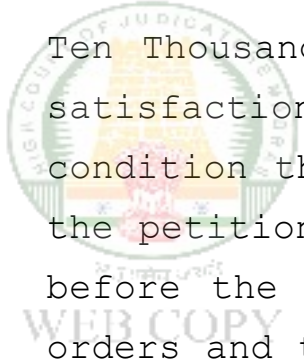
2. According to the defacto complainant, the accused Nos.3 to 5, who are the sons of the first accused sold the property in dispute on 05.09.2013 to the son-in-law of the defacto complainant for Rs.4,00,000/- and thereafter on 05.12.2013, the First accused mortgaged the property to him and received Rs.2,00,000/-. It is further alleged that after lapse of two years, the accused have created documents to obtain a loan from the bank and on 17.05.2015, they trespassed into the property and took away silver ornament worth of Rs.8,000/-.

3. The learned counsel for the petitioners submitted that the accused Nos.1 and 2 are the parents of the accused Nos.3 to 5 and the accused Nos.6 to 8 are the daughters-in-law of accused Nos.1 and 2 and wives of accused Nos.3 to 5.

4. It is further submitted that the petitioners are innocent persons and the defacto complainant unnecessarily roped all the family members in this case. It is further submitted that the son-in-law of the defacto complainant filed a suit in O.S.No.99 of 2015 on the file of Sub-Court, Uthamapalayam, in respect of the same property for declaration and recovery of possession, which shows that the son-in-law of the defacto complainant is not in possession of the property.

5. Heard the learned Government Advocate and perused the records.

6. Considering the facts and circumstances of the case, this Court is inclined to grant anticipatory bail to the petitioners, with certain conditions. Accordingly, the petitioners are ordered to be released on bail in the event of arrest or on their appearance before the learned Judicial Magistrate, Uthamapalayam and on executing a separate 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 in CrI.O.P(MD)No.12218 of 2015 and the petitioner No. 2 in CrI.O.P(MD)No.12917 of 2015 shall appear before the respondent police daily at 10.00 a.m., until further orders and the petitioner Nos.1 and 3 to 5 in CrI.O.P(MD)No.12917 of 2015 shall appear before the respondent police 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/-
21/07/2015

/ TRUE COPY /

Sub-Assistant Registrar (C.S.)

TO

1 THE JUDICIAL MAGISTRATE, UTHAMAPALAYAM

2 THE CHIEF JUDICIAL MAGISTRATE, THENI

3 THE ADDL. PUBLIC PROSECUTOR
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI

4 THE SUB INSPECTOR OF POLICE
GUDALORE POLICE STATION, UTHAMAPALAYAM TALUK, THENI

5 THE SUB INSPECTOR OF POLICE
GUDALORE SOUTH POLICE STATION, UTHAMAPALAYAM TALUK, THENI

2CC to M/S.K.APPADURAI Advocate SR.No.40155 40154

DM 23 7 15 - 3P 8C

ORDER
IN

CRL OP(MD)Nos.12218 and 12917 of 2015
Date :21/07/2015