



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

Friday, the Seventh day of August Two Thousand Fifteen

PRESENT

The Hon`ble Mr Justice K.KALYANASUNDARAM

CRL OP(MD) No.12820 of 2015

1 KRISHNASAMY
2 VIJAYALAKSHMI
3 LINGA DEVI
4 PERUMALSAMY

... PETITIONERS/ACCUSED NOS.1 TO 3 AND 5

Vs

STATE REP BY ITS,
THE INSPECTOR OF POLICE
KOVILPATTI WEST POLICE STATION,
TUTICORIN DISTRICT,
(CRIME NO.590 OF 2015

... RESPONDENT(S) / COMPLAINANT(S)

For Petitioner : M/S.M.VEILKANI RAJU Advocate

For Respondent : MRS.S.PRABHA, Government Advocate (Crl. Side)

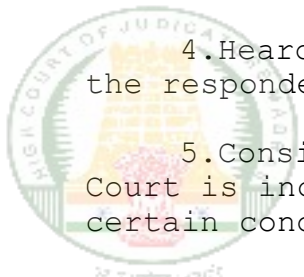
PETITION FOR ANTICIPATORY BAIL Under Sec. 438 Cr.P.C.

ORDER : The Court Made the following order :-

The petitioners, who are arrayed as A1 to A3 and A5 apprehend arrest at the hands of the respondent police for the alleged offences punishable under sections 465, 471 and 420 of IPC, in Crime No.590 of 2015 on the file of the respondent police and hence, seek anticipatory bail.

2.According to the de-facto complainant S.Radhakrishnan, he entered into an agreement with one Subramaniam to sell his six house plots each for Rs.1,00,000/- and received Rs.3,50,000/- towards advance and also executed a power of attorney in favour of A1 to sell the property to the said Subramaniam and instead of selling the property, A1 executed a sale deed in favour of his wife and daughter, who are arrayed as A2 and A3.

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. The learned counsel further submitted that A2 and A3 have already cancelled the sale deed executed by A1 in favour of them and a separate complaint was filed by the agreement holder, namely Subramaniam, in which the petitioners were granted anticipatory bail by this court in Crl.O.P.(MD)No.9673 of 2015. It is further submitted that the 4th petitioner/A5 is the relative of A1 and he is a witness to the document.



4. Heard the learned Government Advocate (Criminal side) appearing for the respondent.

5. Considering the above fact 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 No.II, Kovilpatti and on each of them 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 petitioners 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/-
07/08/2015

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

TO

- 1 THE JUDICIAL MAGISTRATE, NO.II, KOVILPATTI.
- 2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE, TUTICORIN DISTRICT.
- 3 THE INSPECTOR OF POLICE KOVILPATTI WEST POLICE STATION,
TUTICORIN DISTRICT.
- 4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

ORDER
IN
CRL OP(MD) No.12820 of 2015
Date : 07/08/2015

CSL/IV/SAR-I/13/08/2015
2P/5C