



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

Wednesday, the Twelfth day of August Two Thousand Fifteen

PRESENT

THE HON`BLE MR JUSTICE K.KALYANASUNDARAM

CRL OP(MD) No.12974 of 2015

TAMILNESAN

... PETITIONER/ACCUSED RANK NOT KNOWN

Vs

THE STATE REPRESENTED BY THE INSPECTOR OF POLICE
DISTRICT CRIME BRANCH, THANJAVUR DISTRICT, THANJAVUR
(CRIME NO. NOT KNOWN OF 2015) ... RESPONDENT/COMPLAINANT

For Petitioner : M/S.R.NARAYANAN Advocate

For Respondent :M/S.S.PRABHA Govt. Advocate (Crl. Side)

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

ORDER : The Court Made the following order :-

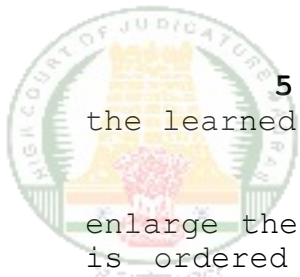
The petitioner apprehends arrest at the hands of the respondent police for the alleged offence punishable under Sections 406, 467, 468, 471, 420 r/w 109 IPC in Crime No.21 of 2015 and hence, seeks anticipatory bail.

2. According to the defacto complainant, the accused while partitioning their property included the survey numbers of the property of the defacto complainant to an extent of 4.3 acres and registered the partition deed with the Sub Registrar, Thiruvonam in document No.56/12 with a view to grab the property of the defacto complainant.

3.The learned counsel for the petitioner submitted that the petitioner is an innocent person and he has been falsely implicated in this case. It is further submitted that without knowledge of the accused, some of the survey numbers of the lands of the defacto complainant were included in the partition deed and the petitioner is ready to cancel the partition deed along with other parties in respect of the property of the defacto complainant.

4. The learned counsel has filed an affidavit of the petitioner dated 12.08.2014. In paragraph No.3 of the affidavit, it has been stated as follows:

3. I submit that I filed the above petition praying for anticipatory bail in the event of surrender or arrest in the above case. I submit that now I came to know that since the defcto complainant's father name and my father are seems similar, their survey numbers have been inadvertently included in our family partition deed registered in document No.57/2012 registered at Thiruvonam, Sub Registrar Office. Therefore, I am ready to cancel the said partition deed in respect of the defacto complainant's survey numbers. S.Nos.488-6, 488-7, 488-8, 488-9, 489-5, 452-12, 451-11 and 452-3 of Sillathur Village, Orathanadu Taluk, Thanjavur District.



5. Heard the learned counsel appearing for the intervenor and the learned Government Advocate (Crl. Side) appearing for the State.

6. Considering the facts and circumstances, I am inclined to enlarge the petitioner on anticipatory bail. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on his appearance before the learned Judicial Magistrate, Thanjavur 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 10.30 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.

sd/-

12/08/2015

/ TRUE COPY /

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

TO

1.THE JUDICIAL MAGISTRATE, THANJAVUR,

2.DO THROUGH THE CHIEF JUDICIAL MAGISTRATE, THANJORE DISTRICT

3. THE INSPECTOR OF POLICE, DISTRICT CRIME BRANCH, THANJAVUR DISTRICT,
THANJAVUR (CRIME NO. NOT KNOWN OF 2015)

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

+1. CC to M/S.s.DEENADHAYALAN Advocate SR.No.459003

+1CC to M/S.R.NARAYANAN Advocate SR.No.46953

ORDER

IN

CRL OP(MD) No.12974 of 2015

Date :12/08/2015

GJM/PRV/SARII 14.8.15-2P-7C