



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

Wednesday, the Fifteenth day of July Two Thousand Fifteen
PRESENT

The Hon`ble Mr Justice K.KALYANASUNDARAM

CRL OP(MD) No.13043 of 2015

ESAKKIRAJA

... PETITIONER/ACCUSED NO.4

Vs

STATE REP.BY
THE SUB INSPECTOR OF POLICE
CHINNAKOILANKULAM POLICE STATION,
TIRUNELVELI DISTRICT.
IN CRIME NO.264 OF 2012

... RESPONDENT/COMPLAINANT

For Petitioner : M/S.J.C.RATHNAVEL PANDIAN 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 A4 apprehends arrest at the hands of the respondent police for the alleged offences punishable under sections 423, 465, 468, 294(b), 341 and 506(ii) of IPC, in Crime No.264 of 2012 on the file of the respondent police and hence, seeks anticipatory bail.

2.According to the de-facto complainant, she is a life estate holder as per the settlement deed executed by her husband, dated 22.11.1971 and after her life time, her children are entitled for equal share in the property. While so, A1 and A2 have given power of attorney in favour of A4 and she sold the same to A5. It is further alleged that A3 has acted as broker for the above transaction.

3.The learned counsel for the petitioner submitted that the petitioner is an innocent and he has not committed any offence as alleged by the prosecution. He further submitted that the de-facto complainant is none other than the mother of A1 and A2 and due to family dispute, this false complaint was given implicating the petitioner in this case.

4.The learned Government Advocate (Criminal side) appearing for the respondent submitted that the accused with a view to grab the property of the de-facto complainant, has sold the same to A5.

5.Considering the above facts and circumstances of the case and also considering the fact that FIR has been registered in the year 2012, 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, Sankarankovil 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.

sd/-
15/07/2015

/ TRUE COPY /

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

TO

1 THE JUDICIAL MAGISTRATE,
SANKARANKOVIL.

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

3 THE SUB INSPECTOR OF POLICE
CHINNAKOILANKULAM POLICE STATION,
TIRUNELVELI DISTRICT.

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

+1. CC to M/S.J.C.RATHNAVEL PANDIAN Advocate SR.No.38718

ORDER
IN
CRL OP(MD) No.13043 of 2015
Date :15/07/2015

PA/IV/SAR-I/16.07.2015/2P/6C