



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

Wednesday, the Ninth day of December Two Thousand Fifteen
PRESENT

The Hon`ble Ms.Justice V.M.VELUMANI

CRL OP(MD) No.13490,17720,17708 & 17883 of 2015

WEB COPY

THIRUGNANAMOORTHY

... PETITIONER/SOLE ACCUSED
IN CRL OP(MD) No.13490 of 2015

R.PANNEER SELVAM

... PETITIONER/ACCUSED NO.1
IN CRL OP(MD) No.17720 of 2015

RAJAPPAN

... PETITIONER/ACCUSED NO.1
IN CRL OP(MD) No.17708 of 2015

M.SELVI

... PETITIONER/ACCUSED NO.1
IN CRL OP(MD) No.17883 of 2015

Vs

STATE REP.BY
THE SUB INSPECTOR OF POLICE ,
THOOVAKUDI POLICE STATION,
THOOVAKUDI, TRICHY DISTRICT.
CRIME NO.213 OF 2015

... RESPONDENT/COMPLAINANT
IN CRL OP(MD) No.13490 of 2015

STATE REP.BY
THE INSPECTOR OF POLICE
THOOVAKUDI POLICE STATION,
THOOVAKUDI, TRICHY DISTRICT.
CRIME NO.302 OF 2015

... RESPONDENT/COMPLAINANT IN
IN CRL OP(MD) No.17720,17708 AND
17783 of 2015

R.PANNEER SELVAM

... PETITIONER/INTERVENER IN
CRL OP(MD) No.13490 of 2015

THIRUGNANAMOORTHY

...INTERVENER PETITIONER/DEFACTO COMPLAINANT
IN CRL OP(MD) No.17708 of 2015

For Petitioner : MR.C.JEGANATHAN, Advocate in CRL OP(MD) No.13490 of 2015
and Intervenor in CRL OP(MD) No.17708 of 2015.

For Petitioner : M/S.C.P.THIRUCHANGU, Advocate in CRL OP(MD) No.17720 of
2015.

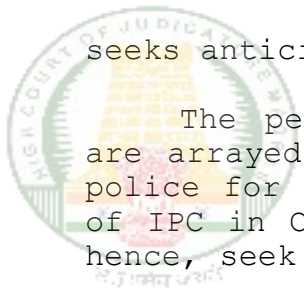
For Petitioner : M/s.V.ILLANCHEZIAN, Advocate in CRL OP(MD) No.17708
&17883 of 2015 and Intervenor in CRL OP(MD) No.13490 of 2015

For Respondent : MR.K.ANBARASAN, Government Advocate (Crl. Side) in all
the cases.

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

ORDER : The Court Made the following order :-

The petitioner in Crl.O.P(MD).No.13490 of 2015, who is the sole
alleged offences punishable under Sections 417,420,467 and 468 of IPC in
Crime No.213 of 2015 on the file of the respondent police and hence,
<https://hccasescourts.gov.in/cases>



seeks anticipatory bail.

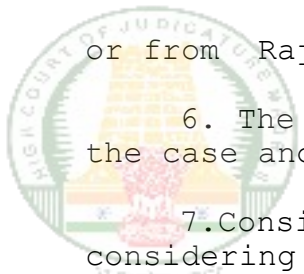
The petitioners in CrI.O.P(MD).Nos.17708, 17883,17220 of 2015, who are arrayed as accused, apprehend arrest at the hands of the respondent police for the alleged offences punishable under Sections 420 and 506(i) of IPC in Crime No.302 of 2015 on the file of the respondent police and hence, seek anticipatory bail.

2. The case of the prosecution is that the petitioner in CrI.O.P(MD). No.13490 of 2015, viz., Thirugnanamoorthi, approached the de facto complainant viz., R. Panneer Selvam, who is the petitioner in CrI.O.P (MD).No.17720 of 2015, to sell his property in S.F.No.158/4 to an extent of 98 cents and he has also agreed to purchase the property, for a total sale consideration of Rs.46,00,000/- and he has given the same to the said Thirugnana moorthi. On 21.06.2011, the said Thirugnanamoorthi has executed a power deed in favour of one Selvi (petitioner in CrI.O.P(MD). No.17883 of 2015) and subsequently, the said Selvi executed a sale deed in favour of said Pannerselvm. When the said Pannerselvm approached the Revenue Authorities for getting patta in his name, he was informed that the said Thirugnanamoorthi is not owner of the property and they further informed that the patta is in the name of one Srimathi and on that ground rejected the request of R. Panneer Selvam. Hence, a complaint has been registered against Thirugnanamoorthi.

3. Further, the said Panneer Selvam has already given a complaint against the said Thirugnanamoorthi with the same set of facts and the same has been closed as mistake of fact and thereafter, on filing a petition under Section 156(3) of Cr.P.C., before the learned Judicial Magistrate-VI, Trichy, to register the case and on direction of the said Magistrate, a case has been registered against Thirugnanamoorthi. The said Thirugnanamoorthi executed a power of attorney in favour of one Selvi, who is the petitioner in CrI.O.P.(MD).No.17883 of 2015 and after selling the property, she did not give amount to him. When he demanded the payment of amount, one Rajappan, who is the petitioner in CrI.O.P (MD).No.17708 of 2015 has agreed to pay a sum of Rs.35,00,000/- to Thirugnanamoorthi, but, he also did not pay any amount. Therefore, Thirugnanamoorthi has given a complaint against the petitioners in CrI.O.P(MD).Nos.17720,17708, 17883 of 2015 and the same has been registered in Crime No.302 of 2015, for the offences under Sections 420 and 506(i) of IPC.

4. The learned counsel appearing for the petitioners in CrI.O.P(MD). Nos.17720,17708, 17883 of 2015 submitted that the petitioners are innocent persons and they have not committed any offence as alleged by the prosecution and their names have been falsely implicated in this case. He further submitted that the petitioner in CrI.O.P(MD).No.13490 of 2015 viz., Thirugnanamoorthi received entire sale consideration from Panneerselvam and then only he executed a power of attorney in favour of one Selvi and she in turn sold the property to Paneerselvam. When the said Paneerselvm went to change the revenue records, he came to know that patta is not in the name of Thirugnanamoorthi. Thereafter, the said Pannersselvam obtained compromise deed by coercion from one Rajappan (petitioner in CrI.O.P(MD).No.17708 of 2015) stating that he will settle the amount.

5. The learned counsel appearing for the petitioner in CrI.O.P(MD). No.13490 of 2015 submitted that the petitioner is innocent person and he has been falsely implicated in this case and he further submitted that the petitioner did not receive any amount from either from Pannerselvam



or from Rajappan petitioner in Crl.O.P(MD).No.17708 of 2015.

6. The learned Government Advocate (Crl. Side) submitted that this is the case and counter case and the investigation is pending.

7. Considering the facts and circumstances of the case and also considering the fact that this is the case and counter 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-VI, Trichy 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 (except the petitioner in Crl.O.P(MD).No.17883 of 2015) shall before the respondent police daily at 10.00 a.m., until further orders and the petitioner in Crl.O.P(MD).No.17883 of 2015, viz., M.Selvi 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.

8. 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/-
09/12/2015

/ TRUE COPY /

Sub-Assistant Registrar (C.S.)

TO

- 1 THE JUDICIAL MAGISTRATE NO.VI, TRICHY.
- 2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE, TRICHY DISTRICT.
- 3 THE INSPECTOR OF POLICE, THOOVAKUDI POLICE STATION, THOOVAKUDI, TRICHY DISTRICT.
- 4 THE SUB INSPECTOR OF POLICE, THOOVAKUDI POLICE STATION, THOOVAKUDI, TRICHY DISTRICT.
- 5 THE ADDL PUBLIC PROSECUTOR
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+3 ccs to M/S.V.ILLANCHEZIAN, Advocate in SR.Nos.70611,70612,70613
+1 ccs to M/s.C.P.THIRUCHANGU, Advocate in SR.NO.70614
+1 cc to M/s.VEERA KATHIRAVAN, Advocate in SR.NO.70448

trp
CSL/AAL-MPA/SAR-II/17.12.2015/3P/11C

ORDER
IN
CRL OP(MD) No.13490,17720,17708
AND 17883 of 2015
Date :09/12/2015