



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

Thursday, the Eighth day of January Two Thousand Fifteen
PRESENT

The Hon`ble Mr.Justice P.N.PRAKASH

CRL OP (MD) No.13831 of 2014

WEB COPY

1 AYUB KHAN
2 JAMAL @ JAMAL MAIDEEN
3 RAAFI @ MOHAMMED RAAFI
4 ARAFATH @ YASSER ARAFATH
5 SHAJAHAN

... PETITIONERS/ACCUSED 1,2,4,5 & 6

Vs

STATE.REP.BY
THE INSPECTOR OF POLICE
KODAIKKANAL POLICE STATION,
DINDIGUL DIST,
CR.NO.342/2014

... RESPONDENT/COMPLAINANT

For Petitioner : M/S.T.ANTONY ARUL RAJ Advocate

For Respondent : MR.A.P.BALASUBRAMANI, Govt. Advocate (Crl. Side)

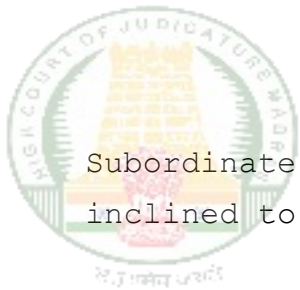
PETITION FOR ANTICIPATORY BAIL Under Sec. 438 Cr.P.C.
ORDER : The Court Made the following order :-

The petitioners, who apprehend arrest at the hands of the respondent police for the alleged offences punishable under Sections 147, 420, 465, 468 and 506(ii) IPC in Crime No.342 of 2014 on the file of the respondent police, seek anticipatory bail.

2. Heard the learned Counsel for the petitioners and the learned Government Advocate (Crl.Side).

3. This case has been registered by the respondent police on the direction passed by this Court in Crl.O.P.(MD)No.10069 of 2014. On a reading of the F.I.R., the defacto complainant had stated that he is the owner of the subject property and the petitioners have created some false documents and claimed ownership of the property and attempted to take possession of the property. In the F.I.R., it is not stated about the documents which were created by the petitioners and there is a general statement that they have fabricated records.

4. It is seen that a suit is pending in O.S.No.163 of 2014 and an interim injunction has been granted in favour of the petitioners by the



Subordinate Court, Kodaikanal. In these circumstances, this Court is inclined to grant Anticipatory Bail to the petitioner.

6. Accordingly, the petitioners are ordered to be released on bail in the event of arrest or on their appearance, within a period of fifteen days from the date of receipt of a copy of this order, before the learned Judicial Magistrate, Kodaikanal, on condition that each of the petitioner shall execute 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 respondent police or the police officer who intends to arrest or to the satisfaction of the learned Magistrate concerned and on further condition that:

[a] the petitioners shall report before the respondent police as and when required for interrogation.

[b] the petitioners shall not tamper with evidence or witness either during investigation or trial.

[c] the petitioners shall not abscond either during investigation or trial.

[d] On breach of any of the aforesaid conditions, the learned Judicial Magistrate/Trial Court is entitled to take appropriate action against the petitioners in accordance with law as if the conditions have been imposed and the petitioners released on bail by the learned Judicial Magistrate/Trial Court himself as laid down by the Hon'ble Supreme Court in **P.K.Shaji vs. State of Kerala [(2005)AIR SCW 5560]**.

sd/-
08/01/2015

/ TRUE COPY /

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

TO

- 1 THE JUDICIAL MAGISTRATE, KODAIKANAL.
 - 2 DO-THRO' THE CHIEF JUDICIAL MAGISTRATE, DINDIGUL.
 - 3 THE INSPECTOR OF POLICE
KODAIKANAL POLICE STATION, DINDIGUL DISTRICT.
 - 4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.
- +1. CC to M/S.T.ANTONY ARUL RAJ Advocate SR.No.1231