



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

Tuesday, the First day of September Two Thousand Fifteen

PRESENT

The Hon`ble Mr Justice K.KALYANASUNDARAM

CRL OP(MD) No.15171 of 2015

PORKODI

... PETITIONER/ACCUSED NO. 5

Vs

STATE REP. BY

THE INSPECTOR OF POLICE,

B2 KEELAVALAVU POLICE STATION, MADURAI DISTRICT.

(CRIME NO.168 OF 2015)

... RESPONDENT/COMPLAINANT

FOR PETITIONER : M/S.R.ILAYARAJA ADVOCATE

FOR RESPONDENT : MRS.S.PRABHA, GOVERNMENT ADVOCATE (CRL.SIDE)

PETITION FOR BAIL Under Sec. 439 Cr.P.C.

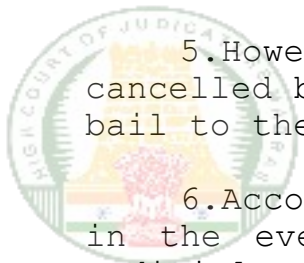
ORDER : The Court Made the following order :-

The petitioner, who is arrayed as A5 apprehends arrest at the hands of the respondent police for the alleged offences punishable under sections 471 and 420 of IPC, in Crime No.168 of 2015 on the file of the respondent police and hence, seeks anticipatory bail.

2.According to the prosecution, A1 affixed the photo of the de-facto complainant and impersonated herself and executed a power of attorney in favour of A4 and on the basis of the power of attorney, A4 sold the property to her daughter A5 with the connivance of the other accused.

3.The learned counsel for the petitioner submitted that the petitioner is an innocent and she has not committed any offence as alleged by the prosecution. The learned counsel further submitted that the petitioner is a student and she was not aware of the allegations made against A1 to A4 and after registration of the case, A4 and A5 have cancelled the sale deed on 21.08.2015. The learned counsel has also produced a copy of the cancellation deed, dated 21.08.2015.

4.Mr.P.Muthusamy, learned counsel appearing for the intervenor and the learned Government Advocate (Criminal side) appearing for the respondent opposed granting of the anticipatory bail to the petitioner stating that all the accused have committed serious



5. However, considering the fact that the sale deed was already cancelled by A4 and A5, 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 her appearance before the learned Judicial Magistrate, Melur and on her 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 as and when required for interrogation. 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/-
01/09/2015

/ TRUE COPY /

Sub-Assistant Registrar (C.S.)

TO

1. THE JUDICIAL MAGISTRATE, MELUR.
2. DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
MADURAI DISTRICT.
3. THE INSPECTOR OF POLICE
B2 KEELAVALLAVU POLICE STATION, MADURAI DISTRICT,
4. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

ORDER
IN
CRL OP(MD) No.15171 of 2015
Date : 01/09/2015

2P/5C
TE/SKS-RR/SAR(I) 07/09/2015