



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

Tuesday, the Eighteenth day of August Two Thousand Fifteen

PRESENT

The Hon`ble Mr Justice K.KALYANASUNDARAM

CRL OP(MD) No.15311 of 2015

1 SATHIYASEELAN,
2 S.THOMAS

... PETITIONERS/ACCUSED NOS.1&2

Vs

THE STATE REP. BY
THE SUB INSPECTOR OF POLICE, VEERACHOLAN POLICE STATION,
VIRUDHUNAGAR DISTRICT.

(CRIME NO.42 OF 2015)

... RESPONDENT / COMPLAINANT

For Petitioner : M/S.P.SANTHOSHKUMAR Advocate

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

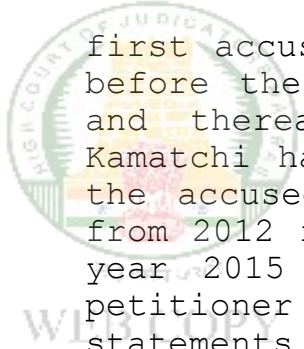
PETITION FOR ANTICIPATORY BAIL Under Sec. 438 Cr.P.C.

ORDER : The Court Made the following order :-

The petitioners, who are arrayed as accused Nos.1 and 2, apprehend arrest at the hands of the respondent police for the alleged offence punishable under Sections 465, 468, 471, 420, 506 (ii) of I.P.C., r/w. Section 120(b) of I.P.C., in Crime No.42 of 2015 on the file of the respondent police and hence, seek anticipatory bail.

2. According to the de-facto complainant, she is the owner of the property to an extent of 9 cents in Survey No.35/1B1 and also building constructed thereon. However, the first accused by fabricating documents executed a settlement deed in favour of the second accused and the other accused have helped the accused 1 and 2 for preparing fake documents.

3. The learned counsel for the petitioner submitted that originally, the property in dispute was owned by the de-facto complainant and it was purchased by the first accused, by a registered sale deed, dated 30.05.1990 and subsequently, mutation in the revenue records had taken place and the property was assessed in the name of the first accused. The learned counsel for the petitioner further submitted that due to the interference of peaceful possession by the mother of the de-facto complainant, the



first accused was constrained to file a suit in O.S.No.340 of 2012 before the District Munsif Court, Arupukottai for bare injunction and thereafter, the mother of the de-facto complainant viz., Kamatchi had instituted another suit in O.S.No.351 of 2013 against the accused for declaration of title. When the suits are pending from 2012 for consideration, the present complaint was given in the year 2015 with an ulterior motive. The learned counsel for the petitioner filed the typed set containing the complaints and written statements filed in O.S.No.340 of 2012 and O.S.No.351 of 2013.

4. Heard the learned Government Advocate (Crl.side).

5. Considering the facts and circumstances of the 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 their arrest or on their appearance before the learned Judicial Magistrate, Arupukottai and on their executing a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) each with two sureties each for a like sum to the satisfaction of the learned Magistrate concerned and on further condition that the petitioners shall appear before the respondent police as and when required. The petitioners shall comply with the condition stipulated under Section 438 Cr.P.C. scrupulously.

6. 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/-

18/08/2015

/ TRUE COPY /

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

TO

1.THE JUDICIAL MAGISTRATE, ARUPUKOTTAI
2.DO THROUGH THE CHIEF JUDICIAL MAGISTRATE
VIRUDHUNAGAR DISTRICT AT SRIVILLIPUTHUR
3.THE ADDITIONAL PUBLIC PROSECUTOR
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI
4.THE SUB INSPECTOR OF POLICE, VEERACHOLAN POLICE STATION,
VIRUDHUNAGAR DISTRICT
+1. CC to M/S.P.SANTHOSHKUMAR Advocate SR.No.47514
RL/ 6C - 24/8/2015

ORDER

IN

CRL OP(MD) No.15311 of 2015

Date :18/08/2015