



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

Monday, the Tenth day of August Two Thousand Fifteen

PRESENT

THE HON'BLE MR JUSTICE K.KALYANASUNDARAM

CRL OP(MD) No.15358 of 2015

1 VEERAMANI
2 SHANTHA
3 A. UMAR SHERIF
4 SENTHILKUMAR
5 S. SURESHBABU
6 SANKAR

... PETITIONERS/ACCUSED 1 TO 6

Vs

STATE REP BY INSPECTOR OF POLICE,
DISTRICT CRIME BRANCH,
TRICHY DISTRICT. (CR. NO. 22 OF 2015)

... RESPONDENT/COMPLAINANT

For Petitioner : M/S.S.RAVI Advocate

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

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

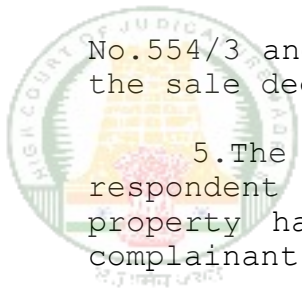
ORDER : The Court Made the following order :-

The petitioners, who are arrayed as A1 to A6 apprehend arrest at the hands of the respondent police for the alleged offences punishable under sections 420, 465, 468 and 471 of IPC, in Crime No.22 of 2015 on the file of the respondent police and hence, seek anticipatory bail.

2.According to the de-facto complainant, the land comprised in Survey No.18/2A1 to an extent of 0.0880 sq. metres, belongs to the Government and A1 along with the other accused by fabricating documents, obtained patta in his name.

3.The learned counsel for the petitioners submitted that the petitioners are innocent persons and they have not committed any offence as alleged by the prosecution. The learned counsel further submitted that the de-facto complainant is none than the junior paternal uncle of A1 and the land was originally owned by one Saraswathi Ammal and on 01.06.2011, she executed a power of attorney in favour of A3 to deal with the property and based on the power of attorney, A3 had sold the property to A1 by a registered sale deed, dated 19.03.2012 and thereafter, mutation in the revenue records was also taken place and the same was challenged by the de-facto complainant before this court in W.P.(MD)No.17629 of 2014.

4. The learned counsel further submitted that A1 has been impleaded as the 5th respondent in the writ petition and this complaint was given, after a lapse of nine months. The learned counsel further submitted that there was previous enmity between A1 and the de-facto complainant with several litigations were pending between them. The learned counsel has filed the typed set containing 'A' Register extract for the old survey



No.554/3 and new survey No.18/2A, Power of Attorney, dated 01.06.2011 and the sale deed, dated 19.03.2012 and Town Survey Register Extract.

5.The learned Government Advocate (Criminal side) appearing for the respondent submitted that the accused without having any right over the property have created documents to grab the property of the de-facto complainant.

6.Considering the above facts and circumstances of the case, this Court is inclined to grant anticipatory bail to the petitioners with certain conditions.

7.Accordingly, the petitioners are ordered to be released on bail in the event of arrest or on their appearance before the learned Judicial Magistrate, Manapparai 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 1st petitioner shall appear before the respondent police daily at 10.30 a.m until further orders and the petitioners 2 to 6 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/-
10/08/2015

/ TRUE COPY /

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

TO

1. THE JUDICIAL MAGISTRATE, MANAPPARAI.
2. -DO- THRO THE CHIEF JUDICIAL MAGISTRATE, TRICHY.
3. THE INSPECTOR OF POLICE, DISTRICT CRIME BRANCH,
TRICHY DISTRICT.
4. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1. CC to M/S.S.RAVI Advocate SR.No. 45301

SR : 14.08.2015 : 2P/6C

ORDER
IN
CRL OP(MD) No.15358 of 2015
Date :10/08/2015