



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)
Monday, the Sixth day of July Two Thousand Fifteen

PRESENT

The Hon`ble Mr Justice K.KALYANASUNDARAM

CRL OP (MD) No.15644 of 2014

R.AZHZGAR PANDI

.. PETITIONER(S) / ACCUSED
RANK NOT KNOWN

Vs

N. GANA SAGUNTHALA

..INTERVENOR

STATE REP BY: THE INSPECTOR OF POLICE
THIRUMANGALAM TALUK POLICE STATION, MADURAI
DIST, CR.NO.NOT KNOWN OF 2014 ... RESPONDENT(S) / COMPLAINANT

For Petitioner : M/S.M.GURURAJ Advocate

For Intervenor : M/S. JEYAKRTHIK Advocate,

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

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

ORDER : The Court Made the following order :-

The petitioner, who is arrayed as accused, apprehends arrest at the hands of the respondent police for the alleged offence punishable under Sections 406 and 420 of I.P.C. in Crime No.169 of 2014 on the file of the respondent police and hence, seeks anticipatory bail.

2.According to the de-facto complainant, she is the owner of the property in S.Nos.96/2A and 104/1 of Sengapadai Bit-II, Gopalpuram and the accused without having any rights to sell the property.

3.The learned counsel for the petitioner submitted that the petitioner became owner of the property by virtue of a Will registered on 23/10/2008 and he sole the property to one Ganesan on 22/11/2013. He further contended that the executor of the will viz., Alagarsamy was issued patta for the property in dispute. He further submitted that the petitioner is an innocent person and he has been falsely implicated in this case.

4.Per contra, the learned counsel for the intervenor submitted that the property belongs to his father Alagarsamy and it comes under Sengapadai Bit-II, Gopalpuram and the uncle of the accused viz., Alagarsamy was owning property in Sengapadai Bit-I, however, by misusing the patta issued in favour of the father of the de-



facto complainant, the accused sold the property. She further submitted that after demise of his father, she became the absolute owner of the property and patta was issued in her name and she is paying kist to the Government. The learned Counsel for the intervenor produced original kist receipts and patta before this Court.

WEB COPY

5. Heard the learned Government Advocate (Crl.side) appearing for the State.

6. Considering the allegations made against the petitioner, this Court is of the opinion that the petitioner is not entitle to grant anticipatory bail. Hence, this criminal original petition is dismissed.

sd/-

06/07/2015

/ TRUE COPY /

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

TO

1 THE ADDL.PUBLIC PROSECUTOR
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

2 THE INSPECTOR OF POLICE
THIRUMANGALAM TALUK POLICE STATION, MADURAI
DISTRICT.

1. CC to M/S.M.S. JEYAKARTHIK, Advocate SR.No.36778

DM 9 7 15 - 2P 4C

ORDER

IN

CRL OP(MD) No.15644 of 2014

Date :06/07/2015