



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.15887 of 2015

1 VELSAMYPANDIAN
2 VELLAITHAAI
3 SUBBAN
4 SIVAGNANAMMAL
5 SUBBAMMAL
6 MUNIYARAJ
7 SIVASANKAR

... PETITIONER(S) / ACCUSED 1 TO 7

Vs

THE STATE REP BY INSPECTOR OF POLICE
PULIYANGUDI POLICE STATION,
TIRUNELVELI DISTRICT.
(CRIME NO. 337 OF 2015)

... RESPONDENT / COMPLAINANT

For Petitioner : M/S.A.UTHAYAKUMAR Advocate

For Respondent : M/S.S.Prabha Government Advocate (Crl.Side)

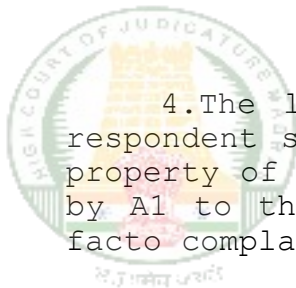
PETITION FOR ANTICIPATORY BAIL Under Sec. 438 Cr.P.C.

ORDER : The Court Made the following order :-

The petitioners, who are arrayed as A1 to A7 apprehend arrest at the hands of the respondent police for the alleged offences punishable under sections 120(b), 468, 471, 420, 294(b) and 506(i) of IPC, in Crime No.337 of 2015 on the file of the respondent police and hence, seek anticipatory bail.

2.The case of the prosecution is that in the year 2010 one Shanmugavelsamy sold 13-1/2 cents of land comprised in Survey No.281/1 to the de-facto complainant. While so, A1 by creating documents sold the same property to A2 to A4, in which A5 to A7 were signed as witnesses.

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 grand-father of A1, namely Matheesathevar @ Mookaiyathevar had three wives and A1 and one Shanmugavelsamy are the legal-heirs of the said Matheesathevar @ Mookaiyathevar and the property was enjoyed by A1 and A1 was not aware of the sale made by the said Shanmugavelsamy and as a absolute owner of the property, A1 sold the property to A2 to A4, in which A5 to A7 are signed as witness. The learned counsel further submitted that A1 is a senior citizen aged about 72 years and he has been unnecessarily roped in this case and the petitioners are ready to co-operate with the investigation.



4.The learned Government Advocate (Criminal side) appearing for the respondent submitted that the petitioners have no bad antecedents and the property of the de-facto complainant to an extent of 13-1/2 cents was sold by A1 to the other accused with a view to grab the property of the de-facto complainant.

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

6.Accordingly, the petitioners are ordered to be released on bail in the event of arrest or on their appearance before the learned Judicial Magistrate, Sivagiri, Tirunelveli District 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 petitioners shall appear before the respondent police daily at 10.00 a.m until further orders. The petitioners shall comply with the condition stipulated under Section 438 Cr.P.C. Scrupulously.

7.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.)

TO

- 1 THE JUDICIAL MAGISTRATE, SIVAGIRI.
- 2 DO THRO THE CHIEF JUDICIAL MAGISTRATE, TIRUNELVELI.
- 3 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI
- 4 THE INSPECTOR OF POLICE
PULIYANGUDI POLICE STATION, TIRUNELVELI DISTRICT.

+1. CC to M/S.A.UTHAYAKUMAR Advocate SR.No.47684.

TS/22.08.2015/2P - 6C KBM/SAR -II

ORDER
IN
CRL OP(MD) No.15887 of 2015
Date :18/08/2015