



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

Monday, the Seventh day of September Two Thousand Fifteen

PRESENT

The Hon`ble Mr Justice K.KALYANASUNDARAM

CRL OP(MD) No.16277 of 2015

1 THANGAM
2 THANUSHKODI

... PETITIONER / ACCUSED A3 & A4

Vs

THE STATE REP.BY
THE INSPECTOR OF POLICE
M.PUDHUPATTI POLICE STATION,
VIRUDHUNAGAR DISTRICT.
IN (CRIME NO. 93 OF 2015)

... RESPONDENT / COMPLAINANT

For Petitioner : MR.KARUNANITHI FOR M/S K.J.ASSOCIATES Advocate

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

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

ORDER : The Court Made the following order :-

The petitioners, who are arrayed as A3 and A4 apprehend arrest at the hands of the respondent police for the alleged offences punishable under sections 406, 468 and 420 of IPC, in Crime No.93 of 2015 on the file of the respondent police and hence, seek anticipatory bail.

2.According to the de-facto complainant, A1 by fabricating documents executed a power of attorney in favour of A2 on 03.06.2010 and on the basis of the power of attorney, A2 sold the property to A3 and A4 on 16.06.2010.

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 petitioners are *bona fide* purchasers of the property for valuable sale consideration and the impersonation committed by A1 was not known to them.

4.The learned Government Advocate (Criminal side) appearing for the respondent submitted that A1 and A2 have played vital role in the transaction and the petitioners/A3 and A4 are only *bona fide* purchasers and they have no bad antecedents.



5.Considering the above facts and circumstances of the case, this Court is inclined to grant anticipatory bail to the petitioners with certain conditions. It is made clear that A1 and A2 shall not take advantage of the anticipatory bail granted to the petitioners/A3 and A4 in this case.

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, Sivakasi 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/-
07/09/2015

/ TRUE COPY /

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

TO

1.THE JUDICIAL MAGISTRATE,
SIVAKASI.

2.THE CHIEF JUDICIAL MAGISTRATE
VIRUDHUNAGAR AT SRIVILLIPUTHUR.

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

4.THE INSPECTOR OF POLICE
M.PUDHUPATTI POLICE STATION,
VIRUDHUNAGAR DISTRICT.

+1. CC to M/S K.J.ASSOCIATES Advocate SR.No.52342
ORDER

IN
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Date :07/09/2015

RG.09.09.2015/AAL/MPA/SAR-I 2P/6C.