



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

Tuesday, the Eighth day of September Two Thousand Fifteen

PRESENT

The Hon`ble Mr Justice K.KALYANASUNDARAM

CRL OP(MD) No.16498 of 2015

S. GANESHAN

... PETITIONER / ACCUSED 3

Vs

THE STATE REP BY THE INSPECTOR OF POLICE

PERAIYUR POLICE STATION

PERAIYUR, MADURAI DISTRICT

(IN CRIME NO 102/2015)

... RESPONDENT / COMPLAINANT

For Petitioner : M/S S.MAHALINGAM Advocate

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

PETITION FOR BAIL Under Sec. 439 Cr.P.C.

ORDER : The Court Made the following order :-

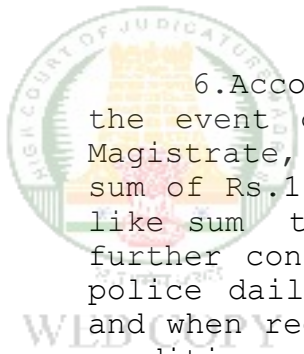
The petitioner, who is arrayed as A3 apprehends arrest at the hands of the respondent police for the alleged offences punishable under sections 420, 468 and 471 of IPC, in Crime No.102 of 2015 on the file of the respondent police and hence, seeks anticipatory bail.

2.According to the de-facto complainant, he purchased 18 acres and 9 cents in various survey numbers at Chittu Lotti Village, Peraiyur Taluk, Madurai district and through a Power of Attorney one S.Sundaram, S/o.Shanmugam Pillai registered the sale deed as pending document No.977/15, dated 04.03.2014 and on 22.04.2015, the said Sundaram/A1 by impersonation sold the property to A2 and the petitioner/A3 has helped the other accused for registration of the documents.

3.The learned counsel for the petitioner submitted that the petitioner is an innocent person and he has been falsely implicated in this case. It is further submitted that the petitioner was working as Sub-Registrar and the sale deed presented by the de-facto complainant on 04.07.2014 was registered as pending document and regular number was not given and therefore, the petitioner was not aware of the document on 22.04.2015 and registered the same.

4.The learned Government Advocate (Criminal side) appearing for the respondent submitted that the petitioner has no bad antecedent and the main accused, namely A1 and A2 in this case are still absconding.

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



6. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on his appearance before the learned Judicial Magistrate, Peraiyur, Madurai District and on his 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 petitioner shall appear before the respondent police daily at 06.00 p.m for a period of two weeks and thereafter, as and when required for interrogation. The petitioner shall comply with the condition stipulated under Section 438 Cr.P.C. scrupulously.

7. The petitioner 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/-

08/09/2015

/ TRUE COPY /

Sub-Assistant Registrar (C.S.)

TO

1 THE JUDICIAL MAGISTRATE, PERAIYUR, MADURAI

2 -DO-THRO THE CHIEF JUDICIAL MAGISTRATE, MADURAI DISTRICT

3 THE INSPECTOR OF POLICE
PERAIYUR POLICE STATION
PERAIYUR MADURAI DISTRICT

4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1. CC to M/S S.MAHALINGAM Advocate SR.No.53447

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ORDER

IN

CRL OP(MD) No.16498 of 2015

Date :08/09/2015