



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) Nos.16692 and 16461 of 2015

SUBRAMANI

... PETITIONER / A1
in CRL OP(MD) No.16692 of 2015

I.PEER MOHIDEEN

... PETITIONER/2nd ACCUSED
in CRL OP(MD) No.16461 of 2015

Vs

THE STATE OF TAMILNADU REPRESENTED BY
THE INSPECTOR OF POLICE
SUDHAMALLI POLICE STATION
TIRUNELVELI
(CRIME NO 154/2015)

... RESPONDENT / COMPLAINANT
in CRL OP(MD) No.16692 of 2015

THE STATE OF TAMILNADU REPRESENTED BY
THE SUB-INSPECTOR OF POLICE
SUDHAMALLI POLICE STATION
TIRUNELVELI DISTRICT
(CRIME NO 154/2015)

... RESPONDENT / COMPLAINANT
in CRL OP(MD) No.16461 of 2015

For Petitioner : M/S S.SATHYA CHIDAMBARAM Advocate
in CRL OP(MD) No.16692 of 2015
M/s.M.P.PADMAVATHY, Advocate
in CRL OP(MD) No.16461 of 2015

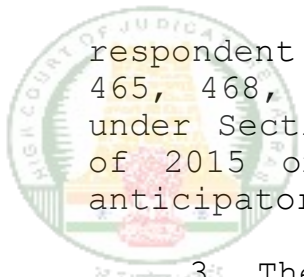
For Respondent : M/S.S.PRABHA, Govt. Advocate (Crl. Side)
in both the petitions

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

ORDER : The Court Made the following order :-

The petitioner in Crl.O.P(MD)No.16692 of 2015, who is arrayed as Accused No.1, apprehends arrest at the hands of the respondent police for the alleged offences punishable under Sections 465, 468, 471, 420 and 506(ii) of the Indian Penal Code and also under Section 4 of Tamil Nadu Women Harassment Act in Crime No.154 of 2015 on the file of the respondent police and hence, seeks anticipatory bail.

2. The petitioner in Crl.O.P(MD)No.16461 of 2015, who is arrayed as Accused No.2, apprehends arrest at the hands of the



respondent police for the alleged offences punishable under Sections 465, 468, 471, 420 and 506(ii) of the Indian Penal Code and also under Section 4 of Tamil Nadu Women Harassment Act in Crime No.154 of 2015 on the file of the respondent police and hence, seeks anticipatory bail.

3. The case of the prosecution is that the first accused has sold the property of the defacto complainant to the second accused, without having any right over the same.

4. The learned counsel for the petitioner/Accused No.1 submitted that the petitioner is an innocent and he has been falsely implicated in this case.

5. The learned counsel for the petitioner/second accused submitted that her client is ready to cancel the sale deed, provided the first accused returns the sale consideration of Rs.3,00,000/-.

6. The learned Government Advocate (Criminal Side) submitted that the second accused is having four previous cases in similar nature in Crime Nos.112 of 2011, 282 & 310 of 2013 and 48 of 2015 apart from the present case. The learned Government Advocate (Criminal Side) further submitted that the first accused without having any right over the property has sold to the second accused and therefore, both are not entitled for anticipatory bail.

7. Considering the submissions of the learned Government Advocate (Criminal Side), this Court is of the opinion that the petitioners are not entitled for anticipatory bail. Hence, these Criminal Original Petitions are dismissed.

sd/-

07/09/2015

/ TRUE COPY /

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

TO

- 1 THE INSPECTOR OF POLICE
SUDHAMALLI POLICE STATION, TIRUNELVELI
- 2 THE SUB-INSPECTOR OF POLICE
SUDHAMALLI POLICE STATION, TIRUNELVELI DISTRICT
- 3 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

ORDER

IN

CRL OP(MD) Nos.16692 & 16461 of 2015

Date :07/09/2015