



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

Tuesday, the First day of September Two Thousand Fifteen

PRESENT

The Hon`ble Mr Justice K.KALYANASUNDARAM

WEB COPY

CRL OP(MD) No.16724 of 2015

1 P. POOLAI AH THEVAR @ POOLUDAIYAH THEVAR

2 M. MADASAMY

3 GLT.MURUGAN

... PETITIONERS / ACCUSED 2,3 & 4

Vs

THE STATE REP.BY

THE INSPECTOR OF POLICE

SURANDAI POLICE STATION,

TIRUNELVELI DISTRICT.

(CRIME NO. 170 OF 2015) ... RESPONDENT / COMPLAINANT

For Petitioner : M/S R.PON KARTHIKEYAN Advocate

For Respondent : M/S.S.PRBHA, Govt. 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 A2 to A4 apprehend arrest at the hands of the respondent police for the alleged offences punishable under sections 406, 420, 465, 468 and 471 of IPC, in Crime No.170 of 2015 on the file of the respondent police and hence, seek anticipatory bail.

2.According to the de-facto complainant, her parents purchased properties through registered sale deeds, dated 25.04.1996, 30.09.2000 and 10.03.2000 and after the demise of her mother on 07.02.2010, A1 who is the brother of the de-facto complainant with the connivance of the other accused has obtained a settlement deed from the father of the de-facto complainant by coercion.

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 1 and 2 are witnesses to the document and the 3rd petitioner is the document writer and even according to the de-facto complainant, A1 obtained settlement deed by coercing his father. It is further submitted that in respect of the settlement deed, two suits are pending in O.S.No.28 of 2013 and 272 of 2014. While so, the present complaint was given on 14.08.2015 in order to settle the dispute before the criminal forum.



4. Heard the learned Government Advocate (Criminal side) appearing for the respondent.

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, Shencottai 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 for a period of two weeks and thereafter as and when required for interrogation. 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/-
01/09/2015

/ TRUE COPY /

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

TO

1. THE JUDICIAL MAGISTRATE,
SHENCOTTAI

2. THE CHIEF JUDICIAL MAGISTRATE
TIRUNELVELI.

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

4. THE INSPECTOR OF POLICE
SURANDAI POLICE STATION,
TIRUNELVELI DISTRICT.

+1. CC to M/S R.PON KARTHIKEYAN Advocate SR.No.50608

ORDER
IN
CRL OP(MD) No.16724 of 2015
Date : 01/09/2015

RG.04/09/2015/GSV/PM/SAR-I 2P/6C.