



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

Friday, the Twenty Fourth day of April Two Thousand Fifteen
PRESENT

The Hon`ble Mr Justice K.KALYANASUNDARAM

CRL OP(MD) Nos.16933,16982 & 17156 of 2014

R.ILANGO

... PETITIONER/ACCUSED NO.2
IN CRL OP(MD)NO.16933/14

1.M.KANDASAMY
2.KARTHICK

... PETITIONER/ACCUSED NO.3 & 6
IN CRL OP(MD)NO.16982/14

1.K.JEENATH BEGUM
2.KAJA MOHIDEEN

... PETITIONER/ACCUSED NO.4 & 5
IN CRL OP(MD)NO.17156/14

Vs

STATE REP.BY
THE INSPECTOR OF POLICE
PERUNGUDI POLICE STATION,
MADURAI DISTRICT.
(CR. NO. 220 OF 2014)

... RESPONDENT/COMPLAINANT IN ALL THE PETITIONS

SANKARA NARAYANAN

...INTERVENOR IN CRL.OP(MD)NOS.16933 & 16982/14

For Petitioners : M/S.R.RAJAMOHAN Advocate
IN CRL.OP(MD)NOS.16933 & 16982/14

For Petitioner : MR.V.A.DHANA ARAVINDHA BALAJI
FOR M/S.DHANA LAW ASSOCIATES, ADVOCATE IN CRL OP(MD)NO.17156/14

For Respondent : MR.K.V.RAJARAJAN, Govt. Advocate (Crl. Side)
IN ALL THE PETITIONS

For Intervenor : MR.S.DHAYALAN, Advocate
in CRL.OP(MD)NOS.16933 & 16982/14

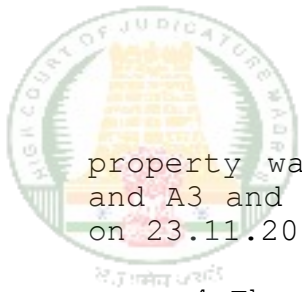
PETITIONS FOR ANTICIPATORY BAIL Under Sec. 438 Cr.P.C.

ORDER : The Court Made the following order :-

The petitioner in Crl.O.P(MD)No.16933 of 2014 is A2 and the petitioners in Crl.O.P(MD)No.16982 of 2014 are A3 and A6 and the petitioners in Crl.O.P(MD)No.17156 of 2014 are A4 and A5 apprehend at the hands of the respondent police for the alleged offences punishable under sections 198, 417, 420 and 200 of IPC r/w section 34 of IPC, in Crime No.220 of 2014 on the file of the respondent police and hence, seek anticipatory bail respectively.

2.The case of the prosecution is that the accused without proper title, sold the property to an extent of 33 cents to the de-facto complainant by a registered sale deed, dated 23.11.2012.

3.The learned counsel for the petitioners submitted that originally the lands belonged to Pathinedampadi and by a registered sale deed, dated 26.10.1994, he sold the property to Malaikani and thereafter, the



property was purchased by Elango and Kandasamy, who are arrayed as A2 and A3 and thereafter, the property was sold to the de-facto complainant on 23.11.2012.

4.The learned counsel further submitted that the de-facto complainant is none other than the brother in law of A1 and after purchasing the property, he settled the property in favour of his sister through a settlement dated, dated 13.02.2014 and thereafter, the de-facto complainant had cancelled the settlement deed, dated 26.02.2014, for which a suit is laid in O.S.No.128 of 2014 on the file of the District Munsif Court, Madurai Taluk. It is further submitted that A1 was granted anticipatory bail by the Sessions Court in Cr.M.P.No.6426 of 2014, dated 08.10.2014.

5.The learned counsel for the intervenor/de-facto complainant vehemently opposed the petitions contending that the accused have no title and even as per the documents, they are owners of the property to an extent of 15 cents and the remaining extents belonged to Pathinedampadi.

6.The learned counsel further submitted that the property worth about Rs.30 Lakhs was cheated by the accused and therefore, custodial interrogation of the petitioners is very much necessary in this case.

7.Heard the learned Government Advocate (Criminal side).

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

9.Accordingly, the petitioners are ordered to be released on bail in the event of arrest or on their appearance before the learned Judicial Magistrate No.VI, Madurai 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. and 05.00 p.m. until further orders. The petitioners shall comply with the condition stipulated under Section 438 Cr.P.C. scrupulously.

10.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/-
24/04/2015

/ TRUE COPY /



TO

1 THE JUDICIAL MAGISTRATE NO.VI, MADURAI.

2. DO-THRO' THE CHIEF JUDICIAL MAGISTRATE, MADURAI.

3 THE INSPECTOR OF POLICE
PERUNGUDI POLICE STATION, MADURAI DISTRICT.

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

+2CCs to M/S.R.RAJAMOHAN Advocate SR.Nos.22229& 22230

+1cc to M/S.DHANA LAW ASSOCIATES, SR.No.22231

ORDER IN
CRL OP (MD) Nos.16933,16982 & 17156 of 2014
Date :24/04/2015

PA/04.05.2015/3P/8C