



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

Friday, the Fourth day of September Two Thousand Fifteen

PRESENT

The Hon`ble Mr Justice K.KALYANASUNDARAM

CRL OP(MD) No.17189 of 2015

S.M. SIDDIQUE@SIDDIQUE ROWTHER ... PETITIONER / ACCUSED NO.2

Vs

THE STATE REP.BY
THE INSPECTOR OF POLICE
DISTRICT CRIME BRANCH,
MADURAI DISTRICT.
(CRIME NO. 92 OF 2013)

... RESPONDENT / COMPLAINANT

For Petitioner : M/S D.S.HAROON RASHEED Advocate

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

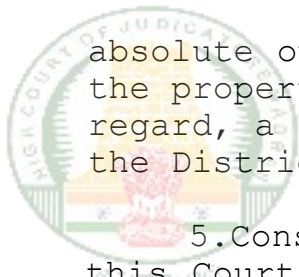
PETITION FOR ANTICIPATORY BAIL Under Sec. 438 Cr.P.C.

ORDER : The Court Made the following order :-

The petitioner, who is arrayed as A2 apprehends arrest at the hands of the respondent police for the alleged offences punishable under sections 468, 471, 420 and 506(i) of IPC, in Crime No.92 of 2013 on the file of the respondent police and hence, seeks anticipatory bail.

2.According to the de-facto complainant, the alleged property was purchased by his father in the year 1959 and after his demise, he is the absolute owner of the property. While so, the accused, by fabricating documents sold the property by a registered sale deed, dated 01.08.2001.

3.The learned counsel for the petitioner submitted that the petitioner is an innocent person and he has not committed any offence as alleged by the prosecution. The learned counsel further submitted that the property was purchased by the Trust represented by the previous Secretary namely P.C.S.Shiek Abdul Khadar in the year 2001 and since then, they have been in possession and enjoyment of the same and after 15 years, this complaint is lodged with an ulterior motive. The learned counsel further submitted that A5 was already released on anticipatory bail by the Principal Sessions Judge, Madurai, in Crl.M.P.No.8122 of 2013, dated 10.10.2013.



absolute owner of the property, but the accused with a view to grab the property has created documents and sold the property and in this regard, a civil suit is pending in O.S.No.171 of 2010 on the file of the District Munsif Court, Melur.

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

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 No.I, Madurai 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 10.00 a.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/-
04/09/2015

/ TRUE COPY /

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

TO

1.THE JUDICIAL MAGISTRATE NO.I
MADURAI.

2.THE CHIEF JUDICIAL MAGISTRATE
MADURAI

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

4.THE INSPECTOR OF POLICE
DISTRICT CRIME BRANCH,
MADURAI DISTRICT.

+1. CC to M/S D.S.HAROON RASHEED Advocate SR.No.52188

ORDER
IN
CRL OP(MD) No.17189 of 2015
Date :04/09/2015