



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) Nos.17366 & 17369 of 2015

1.M. KALIAMMAL
2.S.VALANGATHAI

... PETITIONERS/ ACCUSED 2 & 3
IN CRL OP(MD) No.17366 of 2015

MURUGAPANDIAN

... PETITIONERS/ ACCUSED 2 & 3
IN CRL OP(MD) No.17369 of 2015

Vs

THE STATE REP.BY THE INSPECTOR OF POLICE
CHERANMAHADEVI POLICE STATION
TIRUNELVELI DISTRICT
CRIME NO.163 OF 2015

... RESPONDENT / COMPLAINANT

For Petitioner : M/S ANANTH C.RAJESH Advocate
IN CRL OP(MD) No.17366 of 2015

For Petitioner : M/S. G.RADHAKRISHNAN Advocate
IN CRL OP(MD) No.17369 of 2015

For Respondent : M/S.S.Prabha Government Advocate (Crl.Side)
in both petitions

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

ORDER : The Court Made the following order :-

The petitioners, who are arrayed as A1 to A3, apprehend arrest at the hands of the respondent police for the alleged offence punishable under Sections 294(b), 406, 417 and 506(i) of I.P.C., and Section 4 of TNP Charging Exorbitant Interest Act, in Crime No.163 of 2015 on the file of the respondent police and hence, seek anticipatory bail.

2.According to the de-facto complainant, she had borrowed Rs.30,000/- from the accused in the year 2005 and also executed a power of attorney as a security and the same was misused by the accused and the property was sold to A1 and A2 with a view to grab the property and the accused have also charged exorbitant interest.

3.It is further submitted that the power of attorney was executed by the de-facto complainant on 18.08.2005 and based on the power, the first accused sold the property to the second accused by a registered sale deed on 18.08.2005 and he in turn, sold the property to the third party on 13.06.2007 and after lapse of 12 years, the present complaint has been filed with an ulterior motive.



4.The learned counsel for the petitioners submitted that the petitioners are innocent and they have been falsely implicated in this case.

5.Heard the learned Government Advocate (Crl.side) appearing for the State.

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

7. 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.I, Tirunelveli and on each of them executing a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) with two common sureties for a like sum to the satisfaction of the learned Magistrate concerned and on further condition that the petitioners No.2 and 3 shall appear before the respondent police as and when required for interrogation and the first petitioner shall appear before the respondent police daily at 10.00 a.m., until further orders. The petitioners shall comply with the condition stipulated under Section 438 Cr.P.C. scrupulously.

8. 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/-
08/09/2015

/ TRUE COPY /

Sub-Assistant Registrar (C.S.)

TO

1 THE JUDICIAL MAGISTRATE, NO.I, TIRUNELVELI.

2 DO THRO THE CHIEF JUDICIAL MAGISTRATE, TIRUNELVELI.

3 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI

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

+2. CC to M/S ANANTH C.RAJESH Advocate SR.No.53053 & 53054

TS/10.09.2015/2P - 7C /SAR -I

ORDER
IN

CRL OP(MD) NoS.17366 & 17369 of 2015
Date :08/09/2015