



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

Tuesday, the Fifteenth day of September Two Thousand Fifteen

PRESENT

The Hon`ble Mr Justice K.KALYANASUNDARAM

CRL OP(MD)Nos.17639, 16952 and 17047 of 2015

S.AYYAPILLAI

C.SHANMUGAVEL

S.SUBBIAH

..PETITIONER/ACCUSED No.2
in Crl.OP(MD)No.17639/2015
..PETITIONER/ACCUSED No.3
in Crl.OP(MD)No.16952/2015
..PETITIONER/ACCUSED No.4
in Crl.OP(MD)No.17047/2015

Vs.

STATE REP BY
THE INSPECTOR OF POLICE,
DISTRICT CRIME BRANCH,
TUTICORIN DISTRICT.
(CRIME NO.26 OF 2015 RESPECTIVELY)

..RESPONDENT/COMPLAINANT
in all the petitions

For Petitioner : M/S P.BANUPRASATH Advocate in Crl.OP(MD)No.17639/2015
For Petitioner : M/s.K.A.RAMAKRISHNAN, Advocate
in Crl.OP(MD)Nos.16952 and 17047/2015

For Respondent : M/s.S.PRABHA, Government Advocate (Crl.Side)
in all the petitions

PETITION FOR BAIL Under Sec. 439 Cr.P.C.

ORDER : The Court Made the following order :-

The petitioners, who are A2 to A4 in Crime No.26 of 2015 for the offences punishable under Sections 419, 465, 467, 468, 471 and 120(b) IPC on the file of the respondent Police, were arrested and remanded to judicial custody on 14.08.2015. They seek bail.

2.According to the prosecution, the name of the 1st accused and the de facto complainant is one and the same ie., Loganathan and the 1st accused by impersonation, had executed a power of attorney deed in favour of the 4th accused with the help of the 3rd accused. The 2nd accused had acted as middleman and he brought A3 and A4 for execution of power of attorney.

3.The learned counsel for the petitioners submitted that the petitioners are senior citizens and they are only witnesses to the power of attorney and they were not aware of the offence committed by the 1st accused and it is further submitted that the respondent Police has seized the power of attorney and even according to the prosecution, the accused have not made any encumbrance in respect of the property of the de facto complainant.

4.Per contra, the learned Government Advocate (Crl.side) appearing for the respondent vehemently opposed for granting bail to the petitioner
<https://hcservices.mca.gov.in/hcservices/> investigation is at initial stage and the accused have attempted to grab the property of the de facto complainant, which is worth about Rs.86 lakhs.



5. Heard the learned counsel for the petitioners and the learned Government Advocate (Crl.side) appearing for the respondent.

6. Considering the facts and circumstances, this Court is inclined to grant bail to the petitioners with certain conditions. Accordingly, the petitioners are ordered to be released on bail on 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 Judicial Magistrate No.I, Tuticorin and on further condition that the petitioners shall appear before the respondent police daily at 10.00 a.m., until further orders.

sd/-

15/09/2015

/ TRUE COPY /

Sub-Assistant Registrar (C.S.)

TO

1 THE JUDICIAL MAGISTRATE NO.I, THOOTHUKUDI.

2 -do-thro' THE CHIEF JUDICIAL MAGISTRATE, THOOTHUKUDI.

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

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

5 THE SUPERINTENDENT, CENTRAL PRISON, PALAYAMKOTTAI.

+1. CC to M/S P.BANUPRASATH Advocate SR.No.54487

+1cc to M/s.Ka.Ramakrishnan, Advocate in SR.No.54378

ORDER IN

CRL OP(MD) Nos.17639, 16952 and 17047 of 2015

Date :15/09/2015

PBK/MPA/SAR-II 15/09/2015 ::2P-8C::