



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

Thursday, the First day of October Two Thousand Fifteen

PRESENT

The Hon`ble Mr Justice K.KALYANASUNDARAM

CRL OP(MD) No.18014 of 2015

C.NAINAR

..Petitioner/Accused No.5

Vs.

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

..RESPONDENT/COMPLAINANT

For Petitioner : M/S P.BANUPRASATH Advocate
For Respondent : MRS.S.PRABAHA,
Govt. Advocate (Crl. Side)

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

ORDER : The Court Made the following order :-

The petitioner, who is arrayed as A5 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, was arrested and remanded to judicial custody on 14.08.2015. He seeks 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 petitioner 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. The learned counsel would further submit that the entire offence was committed by the accused 1 to 4 and the petitioner is a *bonafide* purchaser. He would also submit that the co-accused were granted bail by this Court in Crl.O.P.(MD) No.17639, 16952 and 17047 of 2015 on 05.09.2015.

<https://hcservices.ecourts.gov.in/hcservices/>

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



5.Considering the facts and circumstances, this Court is inclined to grant bail to the petitioner with certain conditions. Accordingly, the petitioner is 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 District and on further condition that the petitioners shall appear before the respondent police daily at 10.00 a.m., until further orders.

sd/-
01/10/2015

/ TRUE COPY /

Sub-Assistant Registrar

TO

1 THE JUDICIAL MAGISTRATE NO.I
TUTICORIN DISTRICT.

2 -DO- THRO' THE CHIEF JUDICIAL MAGISTRATE
TUTICORIN.

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

4 THE SUPERINTENDENT,
CENTRAL PRISON, PALAYAMKOTTAI.

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

+1. CC to M/S P.BANUPRASATH Advocate SR.No.57976

Akm/01.10.2015 /2p-7c/

ORDER
IN
CRL OP(MD) No.18014 of 2015
Date :01/10/2015