



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

Tuesday, the Sixth day of January Two Thousand Fifteen

PRESENT

WEB COPY

The Hon`ble Mr Justice P.N.PRAKASH

CRL OP (MD) No.18129 of 2014

NALLA THAMBI @ THANGAM

... PETITIONER/ACCUSED NO. 5

Vs

STATE REP BY THE INSPECTOR OF POLICE

DISTRICT CRIME BRANCH, THOOTHUKUDI.

CR. NO. 27 OF 2011.

... RESPONDENT/COMPLAINANT

For Petitioner : M/S.A.R.KANNAPPAN Advocate

For Respondent : MR.A.P.BALASUBRAMANI Govt. Advocate (Crl. Side)

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

ORDER : The Court Made the following order :-

The petitioner, who apprehends arrest at the hands of the respondent police for an alleged offence punishable under Sections 467, 468 and 471 of IPC in Crime No.27 of 2011, seeks anticipatory bail.

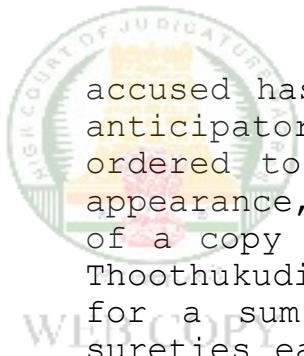
2. Head the learned counsel for the petitioner and the learned Government Advocate (Crl. Side) appearing for the respondents. The Investigating Officer is also present. This is the 2nd anticipatory bail petition.

3. The case of the prosecution is that this petitioner had purchased the property from A1, who is the power agent of the defacto complainant.

4. According to the defacto complainant he had given Power of Attorney to A1 and he had cancelled the power. Suppressing the cancellation of the power, A1 sold the property to this petitioner on 18.05.2011. In this regard, this Court has granted anticipatory bail to the co accused in this case in Crl.O.P.(MD).Nos.4562 and 4409 of 2013 on dated 15.03.2013.

5. The learned Government Advocate (Crl. Side) submitted that the final report has also been filed.

6. Considering the facts and circumstances of the case and also considering the fact that final report has been filed and the co



accused has been granted anticipatory bail, I am inclined to grant anticipatory bail to the petitioner. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on his appearance, within a period of fifteen days from the date of receipt of a copy of this order, before the learned Judicial Magistrate-I, Thoothukudi on condition that the petitioner shall execute 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 respondent police or the police officer who intends to arrest or to the satisfaction of the learned Magistrate concerned and on further condition that:

[a] the petitioner shall report before the respondent police daily at 10.30 a.m. and 6.30 p.m for a period of two weeks and thereafter, as and when required for interrogation.

[b] the petitioner shall not tamper with evidence or witness either during investigation or trial.

[c] the petitioner shall not abscond either during investigation or trial.

[d] On breach of any of the aforesaid conditions, the learned Magistrate/Trial Court is entitled to take appropriate action against the petitioners in accordance with law as if the conditions have been imposed and the petitioners released on bail by the learned Magistrate/Trial Court himself as laid down by the Hon'ble Supreme Court in **P.K.Shaji vs. State of Kerala [(2005)AIR SCW 5560]**.

sd/-
06/01/2015

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

TO

- 1 THE JUDICIAL MAGISTRATE NO.I, THOOTHUKUDI
- 2 THE CHIEF JUDICIAL MAGISTRATE, THOOTHUKUDI
- 3 THE INSPECTOR OF POLICE, DISTRICT CRIME BRANCH, THOOTHUKUDI.
- 4 THE ADDL PUBLIC PROSECUTOR
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1. CC to M/S.A.R.KANNAPPAN Advocate SR.No.232
ORDER

IN
CRL OP(MD) No.18129 of 2014
Date :06/01/2015