



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

Tuesday, the Tenth day of February Two Thousand Fifteen

PRESENT

The Hon`ble Mr Justice P.N.PRAKASH

CRL OP(MD) Nos.18189 & 22893 of 2014

1 CHANDRAKANNAN

2 JAYASEELAN,

... PETITIONERS / ACCUSED 3 & 4
IN CRL OP(MD) No.18189 of 2014

1.MAYAN

2. DURAIPANDI

... PETITIONERS / ACCUSED 1 & 2
IN CRL OP(MD) No.22893 of 2014

Vs

THE STATE REP. BY THE INSPECTOR OF POLICE
ANTI LAND GRABBING SPECIAL CELL, DISTRICT
CRIME BRANCH, SIVAGANGAI DIST,
CR.NO. 57 OF 2014

... RESPONDENT / COMPLAINANT
IN BOTH PETITIONS

For Petitioner : M/S.S.MAHENDRAPATHY Advocate IN BOTH PETITIONS

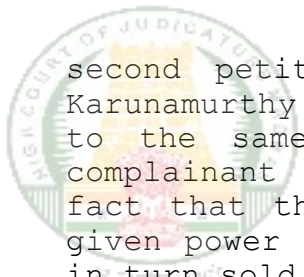
For Respondent : Mr.A.P.Balasubramani Government Advocate (Crl. Side)
IN BOTH PETITIONS

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

ORDER : The Court Made the following order :-

The learned counsel for the petitioners seeks permission of this Court to withdraw this petition and this Court refused to grant permission to withdraw this petition.

2.The facts of the case is that the defacto complainant in this case is one Saravanan and his father's name is Karuppiyah. Karuppiyah's father's name is Muthukone. While so, Mayan (A.1) and Duraipandi (A.2) are brothers and they are the sons of one Vellai. Vellai's father's name is Karuppiyah and that Karuppiyah's father's name is Muthukone. The property in question actually belongs to Karuppiyah S/o Muthukone, who is the father of Saravanan, defacto complainant. Since the grandfather of A.1 and A.2 is also Karuppiyah, S/o Muthukone, A.1 and A.2 created encumbrance on the property by contending that they have inherited the property through their grandfather and gave power of attorney, dated 08.03.2011, in favour of Chandrakannan (A.3), who is the petitioner in Crl.O.P.(MD)NO.18189 of 2014. Chandrakannan, in turn, divided the property into two halves and sold one half to Karunamurthy(A.4) and the other half was sold to Jayaseelan(A.5),



second petitioner in Crl.O.P. (MD) NO.18189 of 2014. After sometime, Karunamurthy (A.4) sold the property purchased by him from Chandrakannan to the same Jayaseelan on 05.12.2013. Thus the case of the defacto complainant is that the first two petitioners had taken advantage of the fact that their grandfather's name is also Karupppiah S/o Muthukone, had given power of attorney to the defacto complainant's property to A.3, who in turn sold as aforesaid.

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3. It is obvious that the petitioners have joined together to sell the property of the defacto complainant by impersonating the original owner Karupppaiah S/o Muthukone. Taking into consideration the allegation of the petitioner, this Court is not inclined to grant anticipatory bail to the petitioners. This petition is dismissed.

sd/-
10/02/2015

/ TRUE COPY /

Sub-Assistant Registrar (C.S.)

TO

- 1 THE INSPECTOR OF POLICE
ANTI LAND GRABBING SPECIAL CELL, DISTRICT
CRIME BRANCH, SIVAGANGAI DISTRICT.
- 2 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

TS/13.02.2015/2P-3C

ORDER
IN
CRL OP(MD) Nos.18189 & 22893 of 2014

Date :10/02/2015