



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

Monday, the Twenty Sixth day of October Two Thousand Fifteen

PRESENT

The Hon`ble Mr Justice K.KALYANASUNDARAM

CRL OP(MD) No.18401 of 2015

1 R. RADHAKRISHNAN
2 NACHIYAR

... PETITIONERS/ACCUSED
RANK NOT KNOWN

Vs

STATE REP.BY
THE INSPECTOR OF POLICE
VALLIYOOR POLICE STATION,
TIRUNELVELI DISTRICT.
IN CR.NO. NOT KNOWN OF 2015

... RESPONDENT/COMPLAINANT

For Petitioners : M/S S.GOKULRAJ Advocate
For Respondent : MRS.S.PRABHA,
Govt. Advocate (Crl. Side)

PETITION FOR ANTICIPATORY BAIL Under Sec. 438 Cr.P.C.
ORDER : The Court Made the following order :-

The petitioners, who are arrayed as accused Nos.1 and 2, apprehend arrest at the hands of the respondent police for the alleged offence punishable under Sections 447, 468, 420 and 506(ii) of I.P.C., in Crime No.377 of 2015 on the file of the respondent police and hence, seek anticipatory bail.

2. According to the prosecution that as per the rectification deed registered as Document No.2148/2015, the de-facto complainant is the absolute owner of the property to an extent of 10 cents in Survey No.1741/3E3. While so, the first accused, by creating documents, executed a settlement deed in favour of his wife A2 on 06.02.2015, with a view to grab the property of the de-facto complainant.

3. The learned counsel for the petitioners submitted that the first accused had purchased 10 cents in Survey No.1741/3 of Valliyoor Village from the original owner Ramsingh, by a registered sale deed dated 26.07.1989. The de-facto complainant originally purchased land in Survey No.1742 and after the purchase made by the first accused in the year 1989, the de-facto complainant and the original owner colluded themselves and executed a rectification deed, correcting the Survey Number as 1741/3 and based on the rectification, the de-facto complainant claims right over the property. The learned counsel for the petitioners further submitted that the petitioners are respectable persons and innocents and they are not committed any offence as alleged by the de-facto complainant.

4. Heard the learned Government Advocate (Crl.side).



5. Considering the facts, this Court is inclined to grant anticipatory bail to the petitioners with certain conditions. Accordingly, the petitioners are ordered to be released on bail in the event of their arrest or on their appearance before the learned Judicial Magistrate, Valliyoor, Tirunelveli District and on their executing a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) each with two sureties each for a like sum to the satisfaction of the learned Magistrate concerned and on further condition that the first petitioner shall appear before the respondent police daily at 10.00 a.m. for a period of two weeks and thereafter as and when required and the second petitioner shall appear before the respondent police as and when required. The petitioners shall comply with the condition stipulated under Section 438 Cr.P.C. scrupulously.

6. 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/-
26/10/2015

/ TRUE COPY /

Sub-Assistant Registrar

TO

1 THE JUDICIAL MAGISTRATE,
VALLIYOOR, TIRUNELVELI DISTRICT.

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
VALLIYOOR POLICE STATION,
TIRUNELVELI DISTRICT.

+1. CC to M/S S.GOKULRAJ Advocate SR.No.62431

akm/30.10.2015 /2p-6c/

ORDER
IN
CRL OP(MD) No.18401 of 2015
Date :26/10/2015