



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

Monday, the Sixteenth day of November Two Thousand Fifteen

PRESENT

The Hon`ble Ms.Justice V.M.VELUMANI

CRL OP (MD) No.18481 of 2015

1 KASI VISWANATHAN
2 DHAMAYANTHI

... PETITIONERS/ ACCUSED
RANK NO NOT KNOWN

Vs

STATE REPRESENTED THROUGH
THE INSPECTOR OF POLICE
DISTRICT CRIME BRANCH,
KANYAKUMARI DISTRICT
AT NAGERCOIL.
(CRIME NO.NOT KNOWN OF 2015)

... RESPONDENT/ COMPLAINANT

M.B.LALITHABAI

... INTERVENING PETITIONER/
DE-FACTO COMPLAINANT

For Petitioner : M/S M.GNANAGURUNATHAN Advocate

For Respondent : Mr.K.ANBARASAN, Govt. Advocate (Crl. Side)

For Intervenor : Mr.M.SARAVANAN Advocate

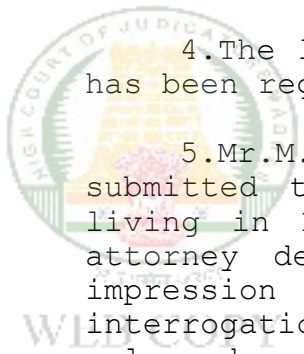
PETITION FOR ANTICIPATORY BAIL Under Sec. 438 Cr.P.C.

ORDER : The Court Made the following order :-

The petitioners, who are arrayed as accused, apprehend arrest at the hands of the respondent police for the alleged offences punishable under Sections 420, 465, 467, 468 and 471 of IPC, in Crime No.68 of 2015, on the file of the respondent police and hence, seek anticipatory bail.

2.The case of the prosecution is that the property in D.No.380, situated in Nagercoil Municipal Town is belonging to the defacto complainant was sold by the first petitioner to the second petitioner as a power agent.

3.The case of the petitioner is that the property is originally belonged to one Sattanatha Karaiyalar and he acquired the property by filing a suit for partition. The legal heirs of Sattanatha Karaiyalar, after his demise executed a power of attorney in favour of first petitioner. The first petitioner entered into a sale agreement with ~~services provided by~~ <https://hccourtsgovt.in/services/>. The petitioners are willing to co-operates in the investigation.



4.The learned Government Advocate (Crl.side) submitted that the case has been registered only on 14.10.2015 and the investigation is pending.

5.Mr.M.Saravanan, learned counsel appearing for the intervenor submitted that the defacto complainant is 81 years old lady and she living in Kerala and the petitioners have created a forged power of attorney deed pertaining to the above said property and created an impression that she got power to deal with property. The custodial interrogation of the petitioners is necessary and if the petitioners are released on bail, they will tamper the witnesses and hamper the evidences.

6.Considering the above facts, gravity of the offence and investigation is pending, I am not inclined to grant anticipatory bail to the petitioner. Hence, this petition is dismissed.

sd/-

16/11/2015

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

TO

- 1 THE INSPECTOR OF POLICE
DISTRICT CRIME BRANCH,
KANYAKUMARI DISTRICT AT NAGERCOIL.
- 2 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1. CC to M/S M.GNANAGURUNATHAN Advocate SR.No.65582

+1cc to Mr.R.J.KARTHICK Advocate SR.No. 65562

ORDER

IN

CRL OP(MD) No.18481 of 2015

Date :16/11/2015

NS/SKS-RR/SAR I/20.11.2015 : 2P/5C