



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

Wednesday, the Thirtieth day of September Two Thousand Fifteen

PRESENT

The Hon`ble Mr Justice K.KALYANASUNDARAM

CRL OP(MD) No.18764 of 2015

S.MUTHUKUMAR

... PETITIONER/ACCUSED NO.4

Vs.

STATE REP.BY
THE INSPECTOR OF POLICE
DISTRICT CRIME BRANCH,
CR.NO. 14/2013, NAGERCOIL,
KANNIYAKUMARI DIVISION AT NAGERCOIL.

... RESPONDENT/COMPLAINANT

For Petitioner : M/S K.PRABHU Advocate

For Respondent : MRS.S.PRABHA, Govt. Advocate (Crl. Side)

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

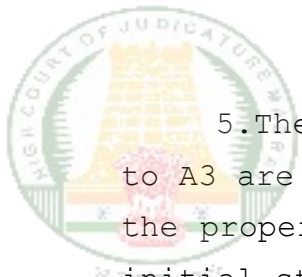
ORDER : The Court Made the following order :-

The petitioner, who is arrayed as A4, in Crime No.14 of 2013 on the file of the respondent police, was arrested and remanded to judicial custody on 08.09.2015, for the alleged offences punishable under Sections 120(b), 419, 420, 465, 467, 468 and 471 of I.P.C., and hence, seeks bail.

2.The case of the prosecution is that the de-facto complainant is the absolute owner of the property and one Jerold committing impersonation created power of attorney and sold the property to an extent of 28 cents in S.No.1481, R.S.No.582/1, 2 of Thiruvattar Village to the fourth accused and thereby cheated the de-facto complainant.

3.The learned counsel for the petitioner submitted that the de-facto complainant had executed a power of attorney in favour of one Jerold on 13.08.1999 and on the basis of power of attorney, the agent sold the property to the petitioner by a registered sale deed dated 20.09.1999 and after lapse of 15 years, the present complaint has been filed.

4.The learned counsel further submitted that the petitioner is a bonafide purchaser and the present complaint is filed with an
<https://hcservices.courts.gov.in/hcservices/> and the petitioner is an employee of Tamilnadu Transport Corporation.



5.The learned Government Advocate (Crl.side) submitted that A1 to A3 are still at large and A4 have fabricated the documents to grab the property of the de-facto complainant and the investigation is at initial stage.

6.However, considering the facts and circumstances of the case, this Court is inclined to grant bail to the petitioner with certain conditions. Accordingly, the petitioner is ordered to be released on bail on his 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, Nagercoil and on further condition that the petitioner shall report before the respondent Police daily at 06.00 p.m., until further orders.

sd/-
30/09/2015

/ TRUE COPY /

Sub-Assistant Registrar

TO

1 THE JUDICIAL MAGISTRATE NO.I
NAGERCOIL.

2 -DO- THRO' THE CHIEF JUDICIAL MAGISTRATE
KANYAKUMARI AT NAGERCOIL.

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

4 THE OFFICER-IN-CHARGE
SUB-JAIL, NAGERCOIL.

5 THE INSPECTOR OF POLICE
DISTRICT CRIME BRANCH, NAGERCOIL,
KANNIYAKUMARI DIVISION AT NAGERCOIL.

+1. CC to M/S K.PRABHU Advocate SR.No.57529

Akm/30.09.2015 /2p-7c/

ORDER
IN
CRL OP(MD) No.18764 of 2015
Date :30/09/2015