



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

Tuesday, the Second day of June Two Thousand Fifteen
PRESENT

The Hon`ble Mr Justice K.KALYANASUNDARAM

CRL OP(MD) Nos.7799 and 6689 of 2015

1 SIVANANITHAPERUMAL
2 SIVALINGAM

... PETITIONERS/ACCUSED NOS.1&2 IN
CRL.OP(MD)NO.7799 OF 2015

JEYACHANDRA MENON

... PETITIONER/ACCUSED NO.4 IN
CRL.OP(MD)NO.6689/2015

Vs

STATE THROUGH
THE INSPECTOR OF POLICE
VICKRAMASINGAPURAM POLICE STATION,
TIRUNELVELI DISTRICT.
CRIME NO.235 OF 2014.

... RESPONDENT/ COMPLAINANT IN
BOTH THE PETITIONS

For Petitioner : M/S. JEYAPPA ASSOCIATES Advocate in
Crl.OP(MD)No.7799/2015
M/S.S.R.A.RAMACHANDRAN, Advocate in
Crl.OP(MD)No.6689/2015

For Respondent : M/S.K.V.RAJARAJAN, Govt. Advocate (Crl. Side)
in both the Petitions

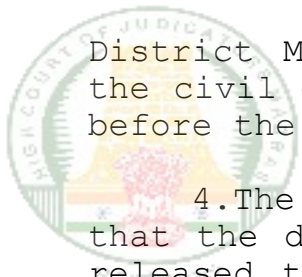
PETITION FOR ANTICIPATORY BAIL Under Sec. 438 Cr.P.C.

ORDER : The Court Made the following order :-

The petitioners, who are arrayed as A1, A2 and A4 apprehend arrest at the hands of the respondent police for the alleged offences punishable under sections 420, 465, 467, 468, 471 and 120 (B) of IPC, in Crime No.235 of 2014 on the file of the respondent police and hence, seek anticipatory bail.

2.According to the de-facto complainant, his brother A1 had created an unregistered gift deed in favour of A2 and thereafter, the property was again transferred by another gift deed by A1, in which A4 has signed as witness.

3.The learned counsel for the petitioners submitted that the petitioners are innocent persons and they have not committed any offence as alleged by the prosecution. The learned counsel further submitted that the property in dispute belongs to Thiruvadudurai Aathinam and the issue relating to right under Inam Act is pending before the Hon'ble Apex Court and further a suit in O.S.No.97 of 2014 filed by the de-facto complainant is pending before the



District Munsif Court, Ambasamudram. It is further submitted that the civil dispute has been given criminal colour to settle the same before the respondent police.

4.The learned Government Advocate (Criminal side) submitted that the de-facto complainant had two other brothers and they have released their right by an unregistered document in favour of the de-facto complainant and while so, A1 and A2 have created documents to grab the entire property. It is further submitted that A4 is having one previous case.

5.However, considering the nature of the allegation made against the petitioners and the relationship of the parties, this Court is inclined to grant anticipatory bail to the petitioners with certain conditions.

6.Accordingly, the petitioners are ordered to be released on bail in the event of arrest or on their appearance before the learned Judicial Magistrate, Ambasamudram and on each of them 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 Magistrate concerned and on further condition that the petitioners shall appear before the respondent police daily at 10.00 a.m. until further orders. The petitioners shall comply with the condition stipulated under Section 438 Cr.P.C. Scrupulously.

7.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/-
02/06/2015

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

TO

- 1.THE JUDICIAL MAGISTRATE, AMBASAMUDRAM
- 2.DO THROUGH THE CHIEF JUDICIAL MAGISTRATE, TIRUNELVELI DISTRICT
- 3.THE ADDITIONAL PUBLIC PROSECUTOR
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI
- 4.THE INSPECTOR OF POLICE
VICKRAMASINGAPURAM POLICE STATION,
TIRUNELVELI DISTRICT.

+1. CC to M/S. JEYAPPAUL ASSOCIATES Advocate SR.No.27069
+One cc to M/S.S.R.A.RAMACHANDRAN, Advocate, SR.No.26973
RL/7C - 10/6/2015

ORDER
IN