



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

Tuesday, the Sixth day of October Two Thousand Fifteen

PRESENT

The Hon`ble Mr Justice K.KALYANASUNDARAM

CRL OP(MD) No.18964 of 2015

K.VENKATACHALAM

... PETITIONER / ACCUSED No.1

Vs

THE STATE REP.BY
THE SUB INSPECTOR OF POLICE
VILATHIKUKLAM POLICE STATION,
TUTICORIN DISTRICT.
CR. NO.200/2015

... RESPONDENT / COMPLAINANT

For Petitioner : M/S S.PALANIVELAYUTHAM Advocate

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

For Intervenor : Mr.M.Karthikeya Venkitachalapathy

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

ORDER : The Court Made the following order :-

The Petitioner, who is arrayed as accused No.1, apprehends arrest at the hands of the respondent police for the alleged offences punishable under Section 408, 465, 467, 468, 471, 419 and 420 of I.P.C., in Crime No. 200 of 2015 on the file of the respondent police and hence, seeks anticipatory bail.

2. According, to the de-facto complainant, the Company called PACL Limited have purchased lands to an extent of 166.24 acres in M.Subramaniapuram Village in the name of their employees and the accused by impersonation, created Power of attorneys in their favour in the year 2014 and sold the property.

3. The learned counsel for the petitioner submitted that admittedly, the employees of the de-facto complainant are the owners of the property and in the year 2014, they have executed power of attorneys in favour of the accused and it is further submitted that the owners have not chosen to give a complaint against the accused and the petitioner is neither employee of the Company and nor he is not a aggrieved person and therefore, the complaint itself is not maintainable in law. It is further submitted that similarly placed A2 was granted bail by the lower Court.

4. Per contra, the learned counsel for the intervenor submitted that the Company had purchased properties in the name of the employees for its convenience to convey the property in the name of the customers and now the company is in trouble. The accused, who are acting as brokers in knowledge the problems faced by the company, have created the power of attorneys by committing impersonation and therefore, he is not entitled for bail.



5. The learned Government Advocate (Crl.side) submitted that totally five accused in this case as on date and the accused 4 and 5 are still at large and it is further submitted that the investigation is at prime stage and if the accused is released on bail, he will hamper the further investigation.

6. Considering the gravity of the offence, this Court is not inclined to grant bail. Hence, this petition is dismissed at this stage.

sd/-
06/10/2015

/ TRUE COPY /

Sub-Assistant Registrar

TO

1 THE SUB INSPECTOR OF POLICE
VILATHIKUKLAM POLICE STATION,
TUTICORIN DISTRICT.

2. THE OFFICER IN CHARGE, SUB JAIL,
TUTICORIN.

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

+1. CC to M/S S.PALANIVELAYUTHAM Advocate SR.No.58961.

ORDER
IN
CRL OP(MD) No.18964 of 2015
Date :06/10/2015

AM/19.10.2015/SK.SKN/SAR-I/2P/5C