



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

Friday, the Twentieth day of November Two Thousand Fifteen

PRESENT

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

CRL OP(MD) No.19465 of 2015

T. BASHYAM

... PETITIONER/ ACCUSED NO.2

Vs

STATE REPRESENTED BY
THE INSEPECTOR OF POLICE
ANTI LAND GRABBING CELL,
VIRUDHUNAGAR DISTRICT.
(CR. NO.29/2014)

... RESPONDENT/ COMPLAINANT

For Petitioner : Mr.PRASATH for Mr.N.RAHAMADULLAH Advocate

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

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

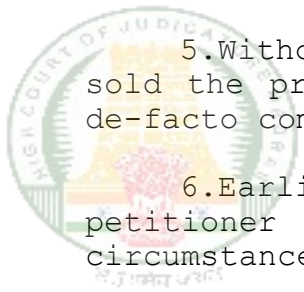
ORDER : The Court Made the following order :-

The petitioner, who is arrayed as A2 in Crime No.29 of 2014 on the file of the respondent police apprehends arrest at the hands of the respondent police for the alleged offences punishable under Sections 120-B, 467 and 471 of I.P.C., and hence, seeks anticipatory bail.

2.The case of the prosecution is that the petitioner and the accused conspired together, A1 gave a power of attorney to the petitioner/A2 in respect of 2 acres 8 cents, without having any title over the property, the petitioner sold the land to the third party and after came to know that, the de-facto complainant gave a complainant and registered a case for offence Sections 120-B, 467 and 471 of I.P.C.

3.The learned counsel for the petitioner submitted that A1 is the owner of the property and she gave a power of attorney to the petitioner/A2 and based on the power of attorney, the petitioner sold the property in the year 2007 and the de-facto complainant gave a complaint in the year 2014, instead of initiating civil proceedings. He further submitted that the petitioner is an innocent and he has been falsely implicated in this case.

4.The learned Government Advocate (Crl.side) on instruction would submit that the petitioner and the other accused created a false document and sold the property, knowing fully well that A1 Ramalakshmi is not the owner of the property to third party and the custodial interrogation of the petitioner is necessary and the investigation is pending.



5. Without having any title to the property, the petitioner and others sold the property belonging to the de-facto complainant and cheated the de-facto complainant.

6. Earlier, an application in Crl.O.P.(MD).No.20147 filed by the petitioner was dismissed by this Court and there is no change of circumstances and the investigation is pending.

7. Considering the gravity of offence, this Court is inclined to grant anticipatory bail to the petitioner. Hence, this petition is dismissed.

sd/-

20/11/2015

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

TO

- 1 THE INSEPECTOR OF POLICE
ANTI LAND GRABBING CELL, VIRUDHUNAGAR DISTRICT.
- 2 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

ORDER

IN

CRL OP(MD) No.19465 of 2015

Date :20/11/2015

NS/NGM/SAR I/25.11.2015 : 2P/3C