



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

Wednesday, the Twenty Eighth day of October Two Thousand Fifteen

PRESENT

The Hon`ble Mr Justice K.KALYANASUNDARAM

CRL OP(MD) No.20593 of 2015

1 RAJASELVI  
2 RATHINAKUMAR

... PETITIONERS/ ACCUSED 1& 3

Vs

STATE NU  
THE INSPECTOR OF POLICE  
DISTRICT CRIME BRANCH, THENI.  
(CRIME NO. 39 OF 2015)

... RESPONDENT/ COMPLAINANT

For Petitioner : M/S N.SHANKAR GANESH Advocate

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

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

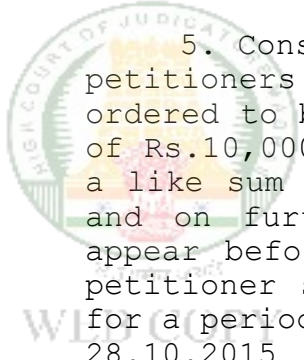
ORDER : The Court Made the following order :-

The petitioners, who are arrayed as accused Nos.1 and 3 in Crime No.39 of 2015 on the file of the respondent police, was arrested on 06.10.2015 for the alleged offences under Sections 406, 419, 420, 468, 471 and 120(b) of I.P.C., and hence, seek bail.

2. According to the de-facto complainant that the first accused, by committing impersonation, has executed a power of attorney in favour of the second accused in respect of the property of the de-facto complainant in Survey Nos.764/2, 765, 766/2 and 766/3 situated in Uthamapalayam Taluk, Theni District, colluding with the accused 3 and 4 and in-turn, A2 sold the property to A6.

3. The learned counsel for the petitioners submitted that the land originally belonged to one Rathinampillai while the first accused is the daughter born to the first wife and the de-facto complainant was born through the second wife. It is further submitted that the de-facto complainant disputing the right of the first accused and the relationship, has filed a false complaint with an ulterior motive. The learned counsel for the petitioners further submitted that the first accused and her husband / A4 have filed a suit in O.S.No.97 of 2015 against one Farid Khan, who purchased the same property from the de-facto complainant.

4. The learned Government Advocate (Crl.side) submitted that due to property dispute between the accused and the de-facto complainant, about 5 cases were registered against the accused and the fourth accused was arrested by the Sessions Court, Theni in Crl.M.P.No.2858 of 2015 dated 16.10.2015.



5. Considering the facts, this Court is inclined to grant bail to the petitioners with certain conditions. Accordingly, the petitioners are ordered to be released on bail on each of them executing a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) each with two sureties each for a like sum to the satisfaction of the learned Judicial Magistrate, Theni and on further condition that the first petitioner being lady, shall appear before the respondent police as and when required and the second petitioner shall appear before the respondent police daily at 10.00 a.m. for a period of two weeks and thereafter as and when required.

28.10.2015

sd/-  
28/10/2015

/ TRUE COPY /

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

TO

- 1.THE JUDICIAL MAGISTRATE, THENI.
- 2.DO THRO THE CHIEF JUDICIAL MAGISTRATE, THENI DISTRICT.
- 3.THE INSPECTOR OF POLICE,DISTRICT CRIME BRANCH, THENI.
- 4.THE ADDITIONAL PUBLIC PROSECUTOR,  
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.
- 5.THE OFFICER INCHARGE, WOMEN PRISON, NILAKOTTAI.
- 6.THE SUPERINTENDENT, CENTRAL PRISON, MADURAI.

+1. CC to M/S N.SHANKAR GANESH Advocate SR.No.62989

ORDER  
IN  
CRL OP(MD) No.20593 of 2015  
Date :28/10/2015

NS/SKS-RR/SAR II/29.10.2015 : 2P/8C