



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

Friday, the Thirtieth day of October Two Thousand Fifteen

PRESENT

The Hon`ble Mr Justice K.KALYANASUNDARAM

CRL OP(MD) No.20890 of 2015

WEB COPY
AR.ELANGO

..PETITIONER/ACCUSED
(RANK NOT KNOWN)

Vs.

STATE REP.BY THE INSPECTOR OF POLICE
THATTARMADAM POLICE STATION,
THOOTHUKUDI DISTRICT.
(CRIME NO. 287 OF 2015)

..RESPONDENT/COMPLAINANT

For Petitioner : M/S G.THALAIMUTHARASU Advocate

For Respondent : M/s.S.PRABHA, Government Advocate (Crl.Side)

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

ORDER : The Court Made the following order :-

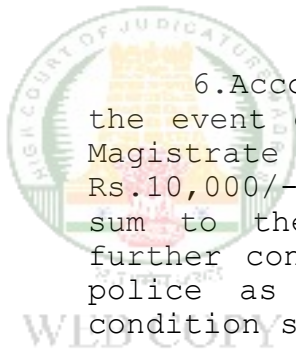
The petitioner, who is arrayed as A2 apprehends arrest at the hands of the respondent police for the alleged offences punishable under sections 467, 471, 420 and 120(b) of IPC, in Crime No.287 of 2015 on the file of the respondent police and hence, seeks anticipatory bail.

2.According to the de-facto complainant namely V.Suresh Raja that he purchased a property bearing Old Door No.18/20, New D.No.18/155 situated in Nainarpuram Village from one Harikesavaraja for a valid sale consideration on 05.11.2014 and thereafter, he applied for change of house tax in his name, which was not done by the legal Panchayat on the ground that A2 issued a notice stating that in respect of the property, a suit in O.S.No.8 of 2015 is pending on the file of the Sub Court, Thoothukudi against his vendor.

3.The learned counsel further submitted that the petitioner is nothing to do with the sale of the property by A1 in favour of the de-facto complainant and the petitioner/A2 is a practicing Advocate at Sathankulam, issued a notice as per the instructions of his client to the local Panchayat and BDO, for which he has been falsely implicated in this case. The learned counsel for the petitioner has also produced the notice issued by A2 and the copy of the plaint filed by the wife of A1.

4.The learned Government Advocate (Criminal side) for the respondent submitted that A2 is an Advocate and he issued a notice on 30.12.2014 to the BDO, Sathankulam requesting him to transfer the house tax in favour of the purchaser.

5.Considering the above facts and circumstances of the case, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions.



6. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on their appearance before the learned Judicial Magistrate No.1, Sathankulam and 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 Magistrate concerned and on further condition that the petitioner shall appear before the respondent police as and when required. The petitioner shall comply with the condition stipulated under Section 438 Cr.P.C. scrupulously.

7. The petitioner 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/-

30/10/2015

/ TRUE COPY /

Sub-Assistant Registrar (C.S.)

TO

1 THE JUDICIAL MAGISTRATE NO.I, SATHANKULAM, THOOTHUKUDI DISTRICT.

2 -do-thro' THE CHIEF JUDICIAL MAGISTRATE, THOOTHUKUDI.

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

4 THE INSPECTOR OF POLICE, THATTARMADAM POLICE STATION,
THOOTHUKUDI DISTRICT.

+1. CC to M/S G.THALAIMUTHARASU Advocate SR.No.64170

ORDER IN

CRL OP(MD) No.20890 of 2015

Date :30/10/2015

PBK/AN-MP/SAR-I 02/11/2015 ::2P-6C::