



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.21269 of 2015

1 MRS. KUPPATHAL

2 MR.MUTHUSAMY

... PETITIONERS/ACCUSED NOS.2&3

Vs

THE STATE

REP BY THE INSPECTOR OF POLICE

TALUK POLICE STATION,

PALANI, PALANI TALUK,

DINDIGUL DISTRICT.

(CRIME NO. 817 OF 2015)

... RESPONDENT/ COMPLAINANT

For Petitioner : M/S D.SELVARAJ Advocate

For Respondent : M/S.K.ANBARASAN, Govt. Advocate (Crl. Side)

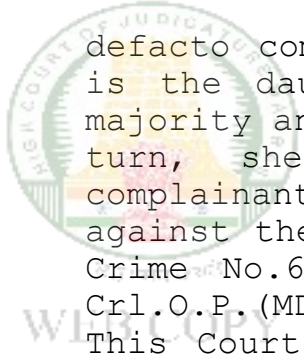
PETITION FOR ANTICIPATORY BAIL Under Sec. 438 Cr.P.C.

ORDER : The Court Made the following order :-

The petitioners apprehend arrest at the hands of the respondent police for the alleged offences punishable under sections 147, 465 and 420 IPC in Crime No.817 of 2015, seek anticipatory bail.

2.The case of the prosecution is that one Veeraveni gave a power of attorney in favour of the defacto complainant. He sold the property in the year 2013 to one Ragini, who is the sister-in-law of the defacto complainant. She in turn settled the property on 06.02.2006 in favour of one Prema, who is the wife of the defacto complainant. Now, the petitioners and others have created false encumbrance certificate and disturbing the possession and enjoyment of the defacto complainant. Thereafter, on the complaint given by the defacto complainant, a case has been registered under Sections 147, 465 and 420 IPC in Crime No.817 of 2015.

3.The case of the petitioner is that the petitioner purchased the property by way of sale deeds dated 08.02.2006 and 30.05.2006 from one Jegathammal (A4) and her daughter Sivaranjani (A5). At that time, Veeraveni was minor and on behalf of Veeraveni, A4 sold the property in favour of the petitioners. From 2006 onwards, the petitioners are in possession and enjoyment of the property. The



defacto complainant obtained power of attorney from Veeraveni, who is the daughter of the petitioners' vendor, after attaining her majority and sold the property in favour of his sister-in-law and in turn, she settled the property in favour of the defacto complainant's wife Prema. Hence, the petitioners gave complaint against the defacto complainant and the same has been registered in Crime No.6 of 2015 on 06.02.2015. The defacto complainant filed Crl.O.P.(MD)No.9585 of 2015 to quash the First Information Report. This Court by the order dated 07.07.2015, dismissed the petition. Again, the defacto complainant and his wife and sister-in-law filed Crl.O.P.(MD)No.13186 of 2015 for anticipatory bail. This Court by order dated 01.09.2015, granted anticipatory bail to the wife and sister-in-law of the defacto complainant and dismissed the anticipatory bail against the defacto complainant. Subsequently, the defacto complainant has filed Crl.O.P.(MD)No.17790 of 2015 for anticipatory bail suppressing the earlier order passed by this Court on 01.09.2015. Hence, this Court dismissed the said application by the order dated 15.09.2015 and only to escape from that, the defacto complainant has given complaint against the petitioners. The petitioners are innocent and they have not committed any offence and they are falsely implicated in this case.

4. Learned Government Advocate(Crl. Side) submitted that FIR has been registered as per the orders of this Court and that the investigation is pending.

5.Considering the above stated facts and circumstances of the case, this Court is inclined to enlarge the petitioners on anticipatory bail. Accordingly, the petitioners are ordered to be released on bail in the event of arrest or on their appearance before the learned Judicial Magistrate, Palani and on executing a personal 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 daily at 10.00 a.m. for a period of two weeks and thereafter, as and when required for the purpose of interrogation. The petitioners shall comply with the condition stipulated under Section 438 Cr.P.C., scrupulously.

6. 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/-
20/11/2015

/ TRUE COPY /

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



TO

1. THE JUDICIAL MAGISTRATE
PALANI

2. DO THROUGH THE CHIEF JUDICIAL MAGISTRATE
DINDIGUL DISTRICT

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

4. THE TE INSPECTOR OF POLICE
TALUK POLICE STATION,
PALANI, PALANI TALUK,
DINDIGUL DISTRICT.

+1. CC to M/S D.SELVARAJ Advocate SR.No.66688

RL/6C/NGM/SS/SARI/24/11/2015

ORDER

IN

CRL OP (MD) No.21269 of 2015

Date :20/11/2015