



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

Thursday, the Twenty Third day of April Two Thousand Fifteen

PRESENT

The Hon`ble Mr Justice K.KALYANASUNDARAM

WEB COPY

CRL OP(MD) No.21783 of 2014

DANIEL AMALADOSS ... PETITIONER / ACCUSED-1

REV.A.SAVARIMUTHU ... INTERVENER

Vs

THE STATE REP.BY
THE INSPECTOR OF POLICE,
DISTRICT CRIME BRANCH,
THANJAVUR DISTRICT.
CRIME NO.31/2014

... RESPONDENT / COMPLAINANT

For Petitioner : M/S. B.ESWARAN, Advocate

For Respondent : M/S. A.P.BALASUBRAMANIAN, Govt. Advocate (Crl.Side)

For Intervener : M/S. T.A.EBENEZER, Advocate

PETITION FOR ANTICIPATORY BAIL Under Sec. 438 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 offence punishable under Sections 383, 386, 409, 418, 420 and 120(b) of I.P.C., in Crime No.31 of 2014 on the file of the respondent police and hence, seeks anticipatory bail.

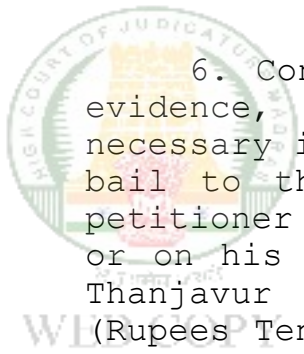
2. The case of the prosecution is that the accused, who is a trustee of Madha Trust has created documents of Will and Power of Attorney and sold the property.

3. The learned counsel for the petitioner submitted that the de-facto complainant is a Managing Trustee of the Public Trust and he has swindled the money of the Trust, for which the petitioner had given a complaint against the de-facto complainant and the same is registered in Crime No.293 of 2013 and without proper investigation, the complaint was closed. Therefore, petitioner is taking steps to prosecute the de-facto complainant. It is further submitted that in respect of the Trust, two suits in O.S.Nos.42 of 2014 and 110 of 2014 are pending before the Principal District Judge, Tanjore.

4. The learned counsel for the intervenor submitted that the petitioner has committed grave offence of forging the signature of the de-facto complainant and also created documents and sold the property of the Trust.

<https://hcservices.ecourts.gov.in/hcservices/>

5. Heard the learned Government Advocate (Crl.side).



6. Considering the fact that the case is based on documentary evidence, the custodial interrogation of the petitioner is not necessary in this case. This Court is inclined to grant anticipatory bail to the petitioner with certain conditions. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on his appearance before the learned Judicial Magistrate No.II, Thanjavur 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 daily at 10.00 a.m. and 5.00 p.m. until further orders. 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/-
23/04/2015

/ TRUE COPY /

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

TO

- 1 THE JUDICIAL MAGISTRATE NO.II, THANJAVUR.
 - 2 -DO-THRO' THE CHIEF JUDICIAL MAGISTRATE, THANJAVUR @ KUMBAKONAM.
 - 3 THE INSPECTOR OF POLICE, DISTRICT CRIME BRANCH,
THANJAVUR DISTRICT.
 - 4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.
- +1. CC to M/S.B.ESWARAN, Advocate SR.No.21903.
- +1. CC to M/S.T.A.EBENEZER, Advocate SR.No.21734.

ORDER IN
CRL OP(MD) No.21783 of 2014
Date :23/04/2015

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