



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

Thursday, the Third day of December Two Thousand Fifteen

PRESENT

THE HON`BLE MS.JUSTICE V.M.VELUMANI

CRL OP(MD) No.22673 of 2015

1 G.ARULMATHI YESUVADIAL
2 REV.DR.GODFREY WASHINGTON NOBLE

.. PETITIONERS/ACCUSED
(RANK NOT KNOWN)

Vs

THE INSPECTOR OF POLICE
MURAPPANADU POLICE STATION,
MURAPPANADU,
TUTICORIN DISTRICT
CRIME NO.152 OF 2015

... RESPONDENT/COMPLAINANT

For Petitioner : M/S R.ARAVINDRAJ Advocate

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

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

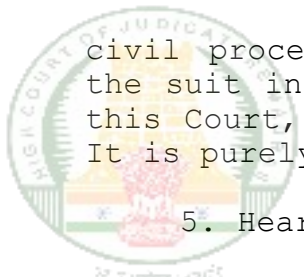
ORDER : The Court Made the following order :-

The petitioners, who are arrayed as Accused, apprehend arrest at the hands of the respondent police for the alleged offences punishable under Sections 120(b), 465, 468, 471, 417 and 420 of IPC, in Crime No.152 of 2015, on the file of the respondent police and hence, seek anticipatory bail.

2. The case of the prosecution is that the first petitioner is the sister of the de-facto complainant and the second petitioner is the husband of the first petitioner. According to the de-facto complainant, the property in question belonged to their mother. The first petitioner executed a settlement deed, dated 28.08.2014, by impersonating her mother. Hence, the de-facto complainant gave the present complaint to the respondent police.

3. The case of the petitioners is that the property in question belonged to the mother of the first petitioner and the de-facto complainant. Their mother settled the property voluntarily in favour of the petitioners' son, by executing a settlement deed. The execution of settlement deed by the mother has been registered by the Sub-Registrar, Murappanadu. The de-facto complainant was not looking after his mother in her old age and now, has given a false complaint only to grab the properties.

4. The learned counsel for the petitioners submitted that the petitioners are innocent and they have not committed any offence as alleged by the prosecution. He further submitted that the present complaint has been preferred only at the instigation of who lost in the



civil proceedings against the petitioners, which are subject matter of the suit in O.S.No.131 of 1985, which was remanded for fresh enquiry, by this Court, in A.S.No.1232 of 1990, as upheld by the Hon'ble Apex Court. It is purely a civil dispute.

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

6. Considering the facts and circumstances of the case and also the fact that the civil proceedings are pending, this Court is inclined to grant anticipatory bail to the petitioners.

7. Accordingly, the petitioners are ordered to be released on bail in the event of arrest or on their appearance before the learned Judicial Magistrate, Srivaigundam, Tuticorin District, and on each of them 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 first petitioner shall appear before the respondent as and when required for interrogation and the second petitioner shall appear before the respondent police daily at 10.00 a.m. until further orders. The petitioners shall comply with the conditions stipulated under Section 438 Cr.P.C. scrupulously.

8. 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/-
03/12/2015

/ TRUE COPY /

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

TO

1 THE JUDICIAL MAGISTRATE, SRIVAIGUNDAM, TUTICORIN DISTRICT

2 THE CHIEF JUDICIAL MAGISTRATE, TUTICORIN DISTRICT

3 THE INSPECTOR OF POLICE, MURAPPANADU POLICE STATION, MURAPPANADU,
TUTICORIN DISTRICT

4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1. CC to M/S R.ARAVINDRAJ Advocate SR.No.69259

ORDER
IN
CRL OP(MD) No.22673 of 2015
Date :03/12/2015

GJM/SKS/RR/SARI-8.12.2015-2p-6c