



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

Tuesday, the Thirtieth day of June Two Thousand Fifteen

PRESENT

The Hon`ble Mr Justice K.KALYANASUNDARAM

CRL OP(MD) No.22981 of 2014

1 THULASIMAYAN

2 KANNAMMAL

... PETITIONER(S) / ACCUSED 1 & 3

Vs

THE STATE REP.BY THE SUB INSPECTOR OF POLICE
SEEKANOORANI POLICE STATION, MADURAI DIST,
CR.NO.528/2014

... RESPONDENT / COMPLAINANT

For Petitioner : M/S.K.SAMIDURAI Advocate

For Respondent : M/S.K.V.RAJARAJAN Govt. Advocate (Crl. Side)

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

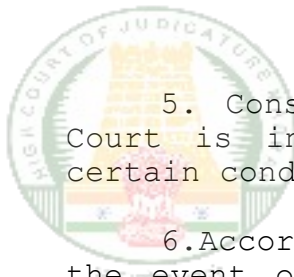
ORDER : The Court Made the following order :-

The petitioners, who are arrayed as A1 and A3 apprehend arrest at the hands of the respondent police for the alleged offences punishable under Sections 406,420,468,471,294(b) and 506(i) of IPC, in Crime No. 528 of 2014 on the file of the respondent police and hence, seek anticipatory bail.

2. One Virumayiammal, who is the mother of A1 lodged a complaint alleging that the accused have created partition deeds and sold the ancestral property.

3. The learned counsel for the petitioners submitted that A1 and A2 are brothers and they are the sons of the de-facto complainant and in the year 1994, there was a family partition between A1 and A2 and in which, the de-facto complainant has signed as a witness and subsequently, A1 and A2 have constructed houses separately in their lands and they have been in possession and enjoyment of the same. It is further submitted that the sister of A1 and A2 had instituted a suit in O.S.No.1029 of 2010 claiming partition, which was dismissed for non-prosecution and after the dismissal of the suit, after 20 years of partition, the present complaint has been lodged. The learned counsel further submitted that the petitioners are innocent persons and they have not committed any offence as alleged by the prosecution.

4. The learned Government Advocate (Crl.Side) Submitted that the accused have created four partition deeds and sold the ancestral property.



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

6. Accordingly, the petitioner are ordered to be released on bail in the event of arrest or on their appearance before the learned Judicial Magistrate, Usilampatti 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 police daily at 10.00 a.m. Until further orders and the 2nd petitioner shall appear before the respondent police as and when required for interrogation. The petitioners shall comply with the condition stipulated under Section 438 Cr.P.C. Scrupulously.

7. 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/-
30/06/2015

/ TRUE COPY /

Sub-Assistant Registrar (C.S.)

TO

- 1 THE JUDICIAL MAGISTRATE, USILAMPATTI.
 - 2 DO THRO THE CHIEF JUDICIAL MAGISTRATE, MADURAI.
 - 3 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI
 - 4 THE SUB INSPECTOR OF POLICE
SEEKANOORANI POLICE STATION, MADURAI DISTRICT.
- +1. CC to M/S.K.SAMIDURAI Advocate SR.No. 34898.

TS/06.07.2015/2P -6C

ORDER
IN
CRL OP(MD) No.22981 of 2014
Date :30/06/2015