



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

Thursday, the Seventeenth day of December Two Thousand Fifteen

PRESENT

The Hon`ble Ms.Justice V.M.VELUMANI

CRL OP(MD) No.23346 of 2015

1 JOTHIBASU
2 J. SIVA @ LENIN
3 J. VISHAL @ STALIN
4 PERIYASAMI
5 L. RAMASAMY

... PETITIONERS / ACCUSED
(RANK NOT KNOWN)

Vs

THE STATE REP.BY
THE INSPECTOR OF POLICE
ANTI-LAND GRABBING WING,
MADURAI, MADURAI DISTRICT.
(CR.NO. 81 OF 2015)

... RESPONDENT / COMPLAINANT

2 M. MEENA

... RESPONDENT/DEFACTO-COMPLAINANT.

For Petitioner : M/S T.LAJAPATHI ROY Advocate

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

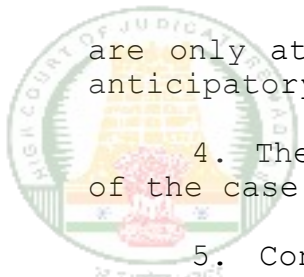
PETITION FOR ANTICIPATORY BAIL Under Sec. 438 Cr.P.C.

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 294(b), 120(b), 420, 468 and 506(ii) of IPC in Crime No.81 of 2015 on the file of the respondent police and hence, seek anticipatory bail.

2. The case of the prosecution is that the petitioners have created a fraudulent Will and grabbed the properties of the de facto complainant. When it was questioned by the de facto complainant, the petitioners have abused the de facto complainant in filthy language and threatened him with dire consequences.

3. The learned counsel appearing for the petitioners submitted that the petitioners are innocent persons and they have been falsely implicated in this case. It is further contended that the de facto complainant has filed a suit in O.S.No.135 of 2015, before the District Court, Madurai, for partition and the same is pending. It is further submitted that the first petitioner is none other than the brother of the de facto complainant and the petitioners 2 and 3 are the sons of the first petitioner. He further submitted that the the petitioners 4 and 5



are only attesting witnesses of the Will and hence, prays for granting anticipatory bail to the petitioners.

4. The learned Government (Crl. Side) submitted that investigation of the case is pending.

5. Considering the facts and circumstances of the case and also considering the fact that suit filed by the de facto complainant is pending, this Court is inclined to grant anticipatory bail to the petitioners with certain conditions. Accordingly, the petitioners are ordered to be released on bail in the event of arrest or on their appearance before the Anti-Land Grabbing Special Judicial Magistrate Court, Madurai 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 petitioners 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.

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/-
17/12/2015

/ TRUE COPY /

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

TO

1 THE ANTI-LAND GRABBING
SPECIAL JUDICIAL MAGISTRATE COURT
MADURAI

2 THE INSPECTOR OF POLICE
ANTI-LAND GRABBING WING,
MADURAI, MADURAI DISTRICT.

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

+1. CC to M/S T.LAJAPATHI ROY Advocate SR.No.72618.

ORDER
IN
CRL OP(MD) No.23346 of 2015
Date :17/12/2015

AM/21.12.2015/NGM.SS/SAR-I/2P/5C