



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

Thursday, the Twenty Ninth day of January Two Thousand Fifteen

PRESENT

The Hon`ble Mr Justice P.N.PRAKASH

CRL OP(MD) No.392 of 2015

1 PITCHAI
2 RAMAKRISHNAN
3 RAMAR
4 MURUGAN
5 VALLI

... PETITIONERS/ACCUSED 1 to 5

Vs

STATE REP BY THE INSPECTOR OF POLICE
D-2 PERUNGUDI POLICE STATION, MADURAI, CRIME
NO.337/2014 ... RESPONDENT/COMPLAINANT

For Petitioner : M/S.M.KARUNANITHI Advocate
For Respondent : MR.C.RAMESH Govt. Advocate (Crl. Side)
For Intervenor : MR. JEGADESH PANDIAN, Advocate

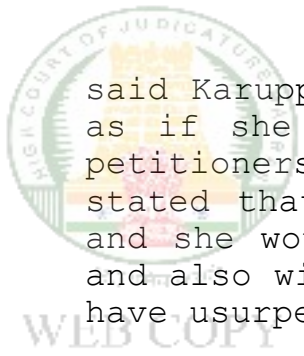
PETITION FOR ANTICIPATORY BAIL Under Sec. 438 Cr.P.C.

ORDER : The Court Made the following order :-

The petitioners, who apprehend arrest at the hands of the respondent police for the alleged offences punishable under Sections 467, 471, 420 and 109 IPC in Crime No.337 of 2014 on the file of the respondent police, seek anticipatory bail.

2. Heard the learned counsel for the petitioners, the learned counsel for the Intervenor and the learned Additional Public Prosecutor appearing for the State.

3. Defacto complainant in this case is one Rosamma, who is the wife of the deceased Ponniah @ Puyal Ponniah, S/o.Karuppanan. It is alleged by the defacto complainant that the land originally belonged to one Shanmugavalli, W/o.Chinnakaruppan, who died about 40 years back. After her death, the land in question came to her son Karuppanan and on whose death, it devolved on Ponniah @ Puyal Ponniah. After the death of Ponniah @ Puyal Ponniah, these petitioners have created a patta and other documents, as if the land belongs to them by taking advantage of the similarity of names. Pitchai (A1) / 1st petitioner, Ramakrishnan (A2) / 2nd petitioner, Ramar (A3) / 3rd petitioner and Murugan (A4) / 4th petitioner are the sons of one Karuppu. They are claiming title to the land, as if the



said Karuppu is Karuppanan. Valli (A5) / 5th petitioner is claiming, as if she is Shanmugavalli, the original owner of the land. The petitioners have adopted ingenious method inasmuch as Valli has stated that her name is Shanmugavalli, W/o.Chinnakaruppu @ Murugan and she would sign only as Valli. By this ingenious modus operandi and also with the connivance of revenue authorities, the petitioners have usurped the land of the defacto complainant, who is a widow.

4. In view of the serious nature of allegation against these petitioners, this Court is not inclined to grant anticipatory bail to these petitioners. Hence, Criminal Original Petition is dismissed.

sd/-
29/01/2015

/ TRUE COPY /

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

TO

- 1 THE INSPECTOR OF POLICE
D-2 PERUNGUDI POLICE STATION, MADURAI
- 2 THE ADDL PUBLIC PROSECUTOR
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

ORDER
IN
CRL OP(MD) No.392 of 2015
Date :29/01/2015

AA/04.02.2015/2p- 3c/