



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

Wednesday, the Eighth day of April Two Thousand Fifteen
PRESENT

The Hon`ble Mr Justice K.KALYANASUNDARAM

CRL OP(MD) No.6352 of 2015

1 VIJAYAKUMAR @ VIBINESH

2 JEYALAKSHMI

3 NIRMAL KUMAR

... PETITIONERS / ACCUSED Nos.4,6 &7

Vs

THE STATE REP.BY
THE INSPECTOR OF POLICE,
DISTRICT CRIME BRANCH,
KARUR, KARUR DISTRICT.
(CRIME NO.3/2013)

... RESPONDENT / COMPLAINANT

For Petitioner : M/S.A.THIRUVADI KUMAR, Advocate

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

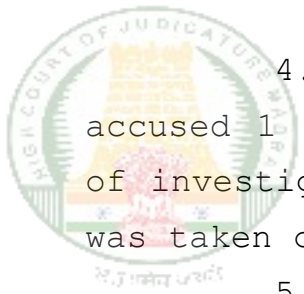
PETITION FOR ANTICIPATORY BAIL Under Sec. 438 Cr.P.C.

ORDER : The Court Made the following order :-

The petitioners/A4,A6 and A7 apprehend arrest at the hands of the respondent police for the alleged offence punishable under Sections 120(b), 420, 419, 465, 468, 471 r/w 109 I.P.C in Crime No.3 of 2013 and hence, seek anticipatory bail.

2. The case of the prosecution is that the first accused had sold the property in dispute in favour of the defacto complainant in the year 2005 and thereafter, in the year 2008 he executed a power of attorney in favour of the second accused. By impersonation and criminal conspiracy, the second accused had executed a sale deed in favour of the third accused, who is the wife of the first accused. Further case of the prosecution is that subsequently the accused 1 to 3 have cancelled the power of attorney and the sale deed. The allegations against the petitioners is that they are witnesses to the cancellation of power of attorney and the sale deed.

3.The learned counsel for the petitioners submitted that the petitioners are innocent and they have not committed any offence. It is further submitted that the respondent has completed the investigation and also laid charge sheet in this case.



4. The learned Government Advocate submitted that the accused 1 to 3 were granted anticipatory bail and after completion of investigation the respondent has filed charge sheet and the same was taken on file in C.C.No.167 of 2014.

5. Heard the learned counsel appearing for the petitioners and the learned Government Advocate (Crl. Side) appearing for the State and also perused the entire materials available on record.

6. Considering the facts and circumstances of the case, I am inclined to enlarge the petitioners on anticipatory bail. Accordingly, the petitioners are ordered to be released on bail in the event of arrest or on their appearance before the learned Judicial Magistrate No.II, Karur, 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 to the learned Magistrate concerned and on further condition that the petitioners shall appear before the trial court for all the future hearings. 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/-
08/04/2015

/ TRUE COPY /

Sub-Assistant Registrar (C.S.)

TO

- 1 THE JUDICIAL MAGISTRATE NO.II, KARUR.
 - 2 -DO-THRO' THE CHIEF JUDICIAL MAGISTRATE, KARUR.
 - 3 THE INSPECTOR OF POLICE, DISTRICT CRIME BRANCH, KARUR, KARUR DT.
 - 4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.
- +1. CC to M/S.A.THIRUVADI KUMAR Advocate SR.No.17739.

ORDER IN
CRL OP(MD) No.6352 of 2015
Date :08/04/2015