



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)
Wednesday, the Tenth day of June Two Thousand Fifteen
PRESENT

The Hon`ble Mr Justice K.KALYANASUNDARAM

WEB COPY

CRL OP(MD) Nos.8352 and 8515 of 2015

RM.VASANTHA AACHI

... PETITIONER/ACCUSED NO.2
IN CRL OP(MD)No.8352 of 2015

1.BALAMURUGAN
2.M.S.ILANGO VAN
3.PAPPA ILANGO VAN
4.L.ANNAMALAI
5.A.ANNAM

... PETITIONERS/ACCUSED NOS.1,3,4,5 & 6
IN CRL OP(MD)No.8515 of 2015

Vs

THE STATE REP BY
THE SUB INSPECTOR OF POLICE
NERKUPPAI POLICE STATION,
SIVAGANGAI DISTRICT.
CRIME NO. 19 OF 2015.

... RESPONDENT/COMPLAINANT
IN BOTH THE PETITIONS

For Petitioner : M/S.R.R.KANNAN Advocate
IN BOTH THE PETITIONS

For Respondent : MR.K.V.RAJARAJAN Govt. Advocate (Crl. Side)
IN BOTH THE PETITIONS

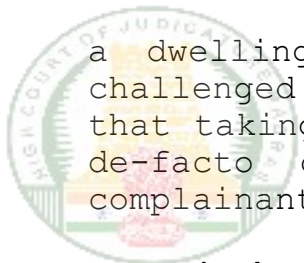
PETITION FOR ANTICIPATORY BAIL Under Sec. 438 Cr.P.C.

ORDER : The Court Made the following order :-

The petitioner in Crl.O.P(MD)No.8352 of 2015, who is arrayed as A2 and the petitioners in Crl.O.P(MD)No.8515 of 2015, who are arrayed as A1, A3 to A6 apprehend arrest at the hands of the respondent police for the alleged offences punishable under sections 294(b), 323, 506(ii) and 420 of IPC, in Crime No.19 of 2015 on the file of the respondent police and hence, seek anticipatory bail respectively.

2.The case of the prosecution is that A1 had fabricated documents and sold the property of the de-facto complainant to A2 to A7.

3.The learned counsel for the petitioners submitted the property was originally owned by one Panayappa Chettiar and after his demise, his legal heirs had executed a Power of Attorney in favour of A1 on 21.02.2002 and thereafter, he had formed a lay out and sold the property to the other accused and they have constructed



a dwelling house long back and the revenue records have been challenged in the name of the purchasers. It is further submitted that taking advantage of the similarity in the father's name of the de-facto complainant i.e., Panayappa Chettiar, the de-facto complainant with a mala fide intention lodged this complaint.

4.The learned counsel further submitted that on the complaint given by the de-facto complainant, namely M.P.Sathappan, the Anti-Land Grabbing Cell, Sivagangai had already investigated the matter and closed as 'Mistake of Fact' on 04.12.2014. Thereafter, the de-facto complainant filed a private complaint and the same was referred to the respondent under section 156(3) of Cr.P.C and on that basis, this case is now registered against the petitioners.

5.The learned counsel further submitted that the petitioners are respective persons and they have been falsely implicated in this case.

6.The learned Government Advocate (Criminal side) appearing for the respondent opposed this application contending that the accused had fabricated documents to grab the property of the de-facto complainant.

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

8.Accordingly, the petitioners are ordered to be released on bail in the event of arrest or on their appearance before the learned Judicial Magistrate, Thiruppathur, Sivagangai 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 petitioners 1 and 2 in CrI.O.P(MD)No.8515 of 2015 shall appear before the respondent police daily at 10.00 a.m until further orders and the petitioners 3 to 5 in CrI.O.P(MD)No.8515 of 2015 and the petitioner in CrI.O.P(MD)No.8352 of 2015 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.

9.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/-

10/06/2015

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



TO

1 THE JUDICIAL MAGISTRATE,
THIRUPPATHUR, SIVAGANGAI DISTRICT

2 -DO-THRO THE CHIEF JUDICIAL MAGISTRATE SIVAGANGAI DISTRICT

WEB COPY

3 THE SUB INSPECTOR OF POLICE
NERKUPPAI POLICE STATION, SIVAGANGAI DISTRICT.

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

+5. CC to M/S.R.R.KANNAN Advocate SR.No.29323 & 24511\

ORDER

IN

CRL OP (MD) Nos.8352 & 8515 of 2015

Date :10/06/2015

NA/AMF/12/06/2015/P3/10C