



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Wednesday, the Twenty Ninth day of April Two Thousand Fifteen

PRESENT

The Hon`ble Mr Justice K.KALYANASUNDARAM

CRL OP(MD) No.8413 of 2015

V.MURUGESAN

..PETITIONER/ACCUSED

Vs.

STATE REP.BY THE SUB-INSPECTOR OF POLICE
WORAIYUR POLICE STATION, TRICHY.
CRIME NO.187/2015

..RESPONDENT/COMPLAINANT

For Petitioner : M/S.R.SUNDAR SRINIVASAN Advocate

For Respondent : Mr.K.V.RAJARAJAN, Government Advocate (Criminal Side)

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

ORDER : The Court Made the following order :-

The petitioner apprehends arrest at the hands of the respondent police for the alleged offences punishable under sections 147, 447, 380 (NP) of IPC and section 3 of TNPPDL Act, in Crime No.187 of 2015 on the file of the respondent police and hence, seeks anticipatory bail.

2.The case of the prosecution is that the de-facto complainant Perichiappan is the owner of the property in dispute and the accused have trespassed into his house and taken away the articles worth about Rs.10 Lakhs.

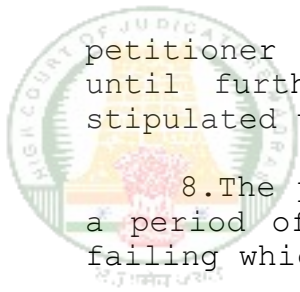
3.The learned counsel for the petitioner submitted that one Mrs.Visalakshi, who is the elder sister of the petitioner was the owner of the property in dispute and she had settled the property in favour of the petitioner by a registered settlement deed, dated 17.03.2010. The de-facto complainant is the adopted son of the said Visalakshi and in view of the dispute over the title, a suit was filed in O.S.No.386 of 2014 and an appeal in A.S.No.10 of 2010 is pending before this court.

4.It is further submitted that the petitioner is an innocent person and he has not committed any offence as alleged by the prosecution and in this case, A1 and A2 were granted anticipatory bail by the Sessions Court.

5.Heard the learned Government Advocate (Criminal side) appearing for the respondent.

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

7.Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on his appearance before the learned Judicial Magistrate at Tiruchirappalli and on his 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 the



petitioner shall appear before the respondent police daily at 10.00 a.m. until further orders. The petitioner shall comply with the condition stipulated under Section 438 Cr.P.C. scrupulously.

8. The petitioner 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/-

29/04/2015

WEB COPY

/ TRUE COPY /

Sub-Assistant Registrar (C.S.)

TO

1 THE JUDICIAL MAGISTRATE NO.IV, TRICHY.

2 -DO-THRO'THE CHIEF JUDICIAL MAGISTRATE, TRICHY.

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

4 THE SUB-INSPECTOR OF POLICE, WORAIYUR POLICE STATION, TRICHY.

+1. CC to M/S.R.SUNDAR SRINIVASAN Advocate SR.No.23798

ORDER IN

CRL OP(MD) No.8413 of 2015

Date :29/04/2015

PBK/SJW 05/05/2015 ::2P-6C: