



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

Thursday, the Eighth day of October Two Thousand Fifteen

PRESENT

The Hon`ble Mr Justice K.KALYANASUNDARAM

CRL OP (MD) No.8738 of 2015

T.SENTHILVEL

... PETITIONER/ACCUSED NO.1

Vs.

STATE REP.BY
THE INSPECTOR OF POLICE
THATTAPARAI POLICE STATION,
TUTICORIN DISTRICT.
CR.NO. 63/2015.

... RESPONDENT/COMPLAINANT

For Petitioner : M/S.K.SEEMARAJ Advocate
For Respondent : MRS.S.PRABHA,
Govt. Advocate (Crl. Side)

PETITION FOR ANTICIPATORY BAIL Under Sec. 438 Cr.P.C.
ORDER : The Court Made the following order :-

The petitioner, who is arrayed as A1 apprehends arrest at the hands of the respondent police for the alleged offences punishable under sections 419, 420, 465, 468 and 471 of IPC, in Crime No.63 of 2015 on the file of the respondent police and hence, seeks anticipatory bail.

2.According to the de-facto complainant, his grandfather Vedhamanickam Nadar is the owner of the property comprised in Survey No.620/1 to an extent of 2.84 acres and he died in the year 1963. While so, in the year 2014 one Vedhamanickam committed impersonation as if he is the grandfather of the de-facto complainant and sold the property to A2 with the connivance of the other accused.

3.The learned counsel for the petitioner submitted that A2 is a *bona fide* purchaser, A1 is the authorised signatory of A2 company and A3 and A4 are witnesses to the sale deed and they are nothing to do with the allegation made against the said Vedhamanickam. It is further submitted that Vedhamanickam is not added as an accused in this case and the entire case is borne out from the records and therefore, there is absolutely no chance for tempering the evidence.

4.The learned Government Advocate (Criminal side) appearing for the respondent vehemently opposed grant of anticipatory bail to the petitioner stating that the original owner died in the year 1963 and in the year 2014, the accused have sold his property to A2, as if he was alive and therefore, the petitioner is not entitled for anticipatory bail.



5.Considering the fact that the petitioner is the Authorised Signatory of A2, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions.

6.Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on his appearance before the learned Judicial Magistrate No.1, Tuticorin 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 on further condition that 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.

7.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/-
08/10/2015

/ TRUE COPY /

Sub-Assistant Registrar

TO

1 THE JUDICIAL MAGISTRATE NO.I,
TUTICORIN.

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

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

4 THE INSPECTOR OF POLICE
THATTAPARAI POLICE STATION,
TUTICORIN DISTRICT.

+1. CC to M/S.K.SEEMARAJ Advocate SR.No.59715

Akm/15.10.2015 /2p-6c/

ORDER
IN
CRL OP (MD) No.8738 of 2015
Date :08/10/2015