



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

Wednesday, the Third day of June Two Thousand Fifteen

PRESENT

The Hon`ble Mr Justice K.KALYANASUNDARAM

CRL OP(MD) No.9708 of 2015

WEB COPY

1 LAKSHMANAN
2 PANDI

..PETITIONER/ACCUSED 3 & 4

Vs.

STATE REP.BY THE INSPECTOR OF POLICE
MELUR POLICE STATION,
MADURAI DISTRICT.
CR. NO. 396 OF 2015.

..RESPONDENT/COMPLAINANT

For Petitioner : M/S.P.SURESH KUMAR Advocate

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

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

ORDER : The Court Made the following order :-

The petitioners, who are arrayed as A3 and A4, apprehend arrest at the hands of the respondent police for the alleged offences punishable under Sections 406, 420, 506(ii) I.P.C in Crime No. 396 of 2015 on the file of the respondent police and hence, seek anticipatory bail.

2.The case of the prosecution is that the accused have fabricated the document to grab the property of the defacto complainant.

3.The learned counsel for the petitioners submitted that the petitioners purchased the land in dispute from the accused 1 and 2 through a registered sale deed dated 02.06.2006 and in the sale deed, survey number of the land was wrongly mentioned as 215/3 instead of 212/13B. The learned counsel further submitted that as per the sale deed, they have been in possession and enjoyment of the property in Survey No.212/13B and after this complaint, the vendors the accused 1 and 2 and the petitioners/A3 and A4 had cancelled the earlier sale deed by a registered cancellation deed on 28.05.2015. The learned counsel further submitted that the petitioners have appeared before the respondent and also produced the proof for cancellation of the sale deed.

4.The learned Government Advocate(Crl.side) submitted that the accused 1 and 2 are not the owners of the property in Survey No.215/3. They have sold the same to the accused 3 and 4 without any right.

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

6. Accordingly, the petitioners are ordered to be released on bail in the event of arrest or on their appearance before the learned Judicial Magistrate, Melur, Madurai District, on each of them executing a separate 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 shall appear before the respondent police daily at 6.00 p.m until further orders. 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/-

03/06/2015

/ TRUE COPY /

WEB COPY

Sub-Assistant Registrar (C.S.)

TO

1 THE JUDICIAL MAGISTRATE, MELUR, MADURAI DISTRICT.

2 -do-thro' THE CHIEF JUDICIAL MAGISTRATE, MADURAI.

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

4 THE INSPECTOR OF POLICE, MELUR POLICE STATION, MADURAI DISTRICT.

+1. CC to M/S.R.KARUNANIDHI, Advocate SR.No.27328

ORDER IN

CRL OP(MD) No.9708 of 2015

Date :03/06/2015

PBK/AMF 04/06/2015 ::2P-6C::