

Crl.O.P.Nos.3693 & 3695 of 2016

K.KALYANASUNDARAM,J.

The petitioners in both the cases, who are arrayed as accused, apprehend arrest at the hands of the respondent police for the alleged offences punishable under Sections 420, 467, 468 I.P.C. R/w Sec.82 (d) Registration Act, in Crime No.120 of 2016 on the file of the respondent police and hence, seek anticipatory bail.

2.According to the defacto complainant, her father Chenniappa Gounder was the owner of the properties in various Survey Numbers in Chitharouthan Palayam, Dharapuram Taluk. When he was suffering from illness, the accused conspired with each other and obtained sale deed in their favour, which were registered as Doc.No.7319 of 2010 dated 19.07.2010, Doc.No.13897/2010 dated 13.12.2010 and in respect of other properties, settlement deed has been executed which was registered as Doc.Nos.6613-6614/2007 dated 19.11.2007.

3.The learned counsel for the petitioners submitted that the petitioners are innocent persons and it is further submitted that the father of the defacto complainant himself sold the property in the year 2010 by valid sale deeds and thereafter, he died only on 19.05.2011. It is further submitted that till his life time, the original owner had not taken steps to challenge the sale in respect of the property disputed in the Original Suits in O.S.Nos.508, 132 of 201- and O.S.No.78 of 2011 are pending before the District Munsif Court, Dharapuram. While so, the present complaint was given, after a lapse of six years without

giving any explanation.

K.KALYANASUNDARAM, J.,

kkd

4.The learned Government Advocate (Criminal side) vehemently opposed the bail petitions stating that the defacto complainant is a poor lady and the accused grabbed the property by creating documents and therefore, custody for interrogation is necessary.

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 Court, Dharapuram, 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 the petitioners shall appear before the respondent police daily at 10.00 a.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.

01.03.2016

kkd

Crl.O.P.Nos.3693 & 3695 of 2016