



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

Wednesday, the Twenty Seventh day of January Two Thousand Sixteen

PRESENT

The Hon`ble Ms.Justice V.M.VELUMANI

CRL OP(MD) No.23558 of 2015

K. SELVARAJ ... PETITIONER /1st ACCUSED

Vs

THE STATE REP.BY
THE SUB INSPECTOR OF POLICE
PONNAMARAVATHI POLICE STATION,
PUDUKOTTAI DISTRICT.
(CRIME NO. 316 OF 2015)

... RESPONDENT/ COMPLAINANT

For Petitioner : M/S D.SADIQ RAJA Advocate

For Respondent : MR.P.KANNITHEVAN, Govt. Advocate (Crl. Side)

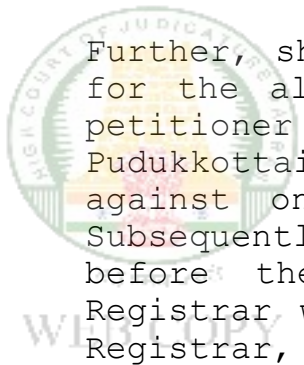
PETITION FOR ANTICIPATORY BAIL Under Sec. 438 Cr.P.C.

ORDER : The Court Made the following order :-

The petitioner, who is arrayed as accused No.1, in Crime No.316 of 2015 on the file of the respondent police, apprehends arrest at the hands of the respondent police for the alleged offences punishable under Sections 406, 465, 467, 468, 420 and 120(b) of the Indian Penal Code and hence, seeks anticipatory bail.

2. The case of the prosecution is that the defacto complainant is the Sub-Registrar of Ponnamaravathi Village and the petitioner along with other accused created and fabricated the documents of Alagi in the year 2000 and they registered the said document. The District Registrar has ordered the Sub-Registrar to verify the same and one Ilayarani, on 20.07.2015, in this connection, has also sent a letter to the Sub-Registrar to verify the fraudulent sale deed and on verification, it came to know that the petitioner along with other accused joined together and fraudulently registered one Ilayarani's property. Hence, the complaint has been registered against the petitioner.

3. The case of the petitioner is that the petitioner is innocent and he has not committed any offence, as alleged by the prosecution and the alleged property originally belonged to one Palani and her daughter Chellammal. Both of them sold the entire property to the petitioner on 17.08.2000 through registered sale deed. Subsequently, the abovesaid Chellammal fraudulently executed a power deed in favour of her son Ilayaraja for the same property.



Further, she executed a registered sale deed in her daughter's name for the alleged property. After knowing the above said fact, the petitioner made a complaint before the Land Grabbing Police, Pudukkottai and the same was registered in Crime No.19 of 2012 against one Chellammal, Ilaiyaraja and Ilayarani and Dhanapal. Subsequently, the above said Ilayarani preferred a false complaint before the District Registrar, Pudukkottai. But the District Registrar without conducting any proper enquiry, directed the Sub-Registrar, Ponnamaravathi to make a complaint against the accused and the occurrence is said to have taken place in the year 2000 and after a lapse of 15 years, the case has been registered against the petitioner.

4. The learned Government Advocate (Criminal Side) submitted that the investigation is pending.

5. Considering the facts and circumstances of the case and also considering the fact that the transaction taken place in the year 2000, this Court is inclined to grant anticipatory bail to the petitioner, with certain conditions. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on his appearance before the learned Judicial Magistrate, Pudukkottai 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 10.30 a.m., until further orders. The petitioner shall comply with the conditions stipulated under Section 438 Cr.P.C. scrupulously.

6. 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/-
27/01/2016

/ TRUE COPY /

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

TO

- 1 THE JUDICIAL MAGISTRATE, PUDUKKOTTAI.
 - 2 THE CHIEF JUDICIAL MAGISTRATE PUDUKKOTTAI.
 - 3 THE ADDL. PUBLIC PROSECUTOR
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.
 - 4 THE SUB INSPECTOR OF POLICE
PONNAMARAVATHI POLICE STATION, PUDUKOTTAI DISTRICT.
- +1. CC to M/S D.SADIQ RAJA Advocate SR.No.5093

ORDER
IN
CRL OP(MD) No.23558 of 2015
Date :27/01/2016