



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

Wednesday, the Sixth day of January Two Thousand Sixteen

PRESENT

THE HON`BLE MS.JUSTICE V.M.VELUMANI

CRL OP(MD) No.24970 AND 24257 of 2015

PR.CHELLADURAI

EX.PRESIDENT, SOUTH EAST INDIA UNION OF
SEVENTH DAY ADVENTISTS, 197, G.S.T. ROAD,
VANDALUR, CHENNAI 600 048

... PETITIONER / ACCUSED NO.1
IN CRL OP(MD)NO.24970/2015

PASTOR DANIEL DEVADHAS, PRESIDENT,
SOUTH EAST INDIA UNION OF SEVENTH DAY ADVENTIST,
197, G.S.T ROAD, VANDLUR,
CHENNAI-600 048.

... PETITIONER/ACCUSED (A1)
IN CRL OP (MD)NO.24257/2015

Vs

STATE THROUGH THE INSPECTOR OF POLICE
TUTICORIN NORTH POLICE STATION,
TUTICORIN
CRIME NO.421/2015

... RESPONDENT / COMPLAINANT
IN BOTH THE PETITIONS

For Petitioner : M/S N.S.PONNAIAH Advocate IN BOTH THE PETITIONS

For Respondent : MR.K.ANBARASAN Govt. Advocate (Crl. Side)
IN BOTH THE PETITIONS

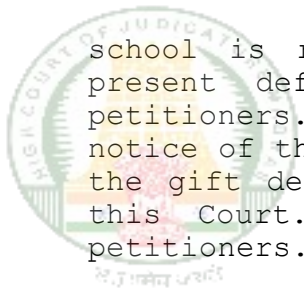
PETITION FOR ANTICIPATORY BAIL Under Sec. 438 Cr.P.C.

ORDER : The Court Made the following order :-

The petitioners, who are arrayed as accused, apprehend arrest at the hands of the respondent police for the alleged offences punishable under Sections 420, 468, 471 and 506(i) of IPC in Crime No.421 of 2015 on the file of the respondent police and hence, seek anticipatory bail.

2. The case of the prosecution is that the petitioners created a forged document in respect of property belonging to KSPS Natarajan Trust. The defacto complainant, Estate Officer of the Trust gave a complaint against the petitioners. On complaint, a case has been registered against the petitioners.

3. The learned counsel appearing for the petitioners submitted that the petitioners are innocent persons and they have not committed any offence as alleged by the prosecution. He further submitted that originally in the year 1977, the property belonging to the Trust was gifted by two registered gifts dated 12.08.1977, bearing Document Nos.1949 and 1950. Based on that schools run by the VII Day Adventist Matriculation School Management and the Tamil Nadu School Authority has also given recognition and the



school is running for past 25 years. On change of the management, the present defacto complainant has given a false complaint against the petitioners. It is further stated that this fact was not brought to the notice of this Court, when the earlier petition filed by the petitioners and the gift deed executed by the defacto complainant was not produced before this Court. Hence, he prays for granting anticipatory bail to the petitioners.

4. The learned Government Advocate (Crl. Side) would submit that the investigation is pending.

5. Considering the nature of the case and also the fact that all the transactions are took place in the year 1977 by registered gift deed, custodial interrogation of the petitioners are not necessary and therefore, this Court is inclined to grant anticipatory bail to the petitioners, with certain conditions. Accordingly, the petitioners are ordered to be released on bail in the event of arrest or on their appearance before the learned Judicial Magistrate No-II, Tuticorin 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 on further condition that the petitioners shall appear before the respondent police daily at 10.00 am until further orders. The petitioners shall comply with the condition stipulated under Section 438 Cr.P.C. scrupulously.

6. 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/-
06/01/2016

/ TRUE COPY /

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

TO

- 1 THE JUDICIAL MAGISTRATE NO.II, TUTICORIN
- 2 THE CHIEF JUDICIAL MAGISTRATE TUTICORIN DISTRICT
- 3 THE INSPECTOR OF POLICE
TUTICORIN NORTH POLICE STATION, TUTICORIN
- 4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+2. CC to M/S N.S.PONNAIAH Advocate SR.No.828,829

ORDER
IN
CRL OP(MD) No.24970 AND
24257 of 2015
Date :06/01/2016