



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

Wednesday, the Sixth day of July Two Thousand Sixteen

PRESENT

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

CRL OP(MD) No.10601 of 2016

M.S. MUTHURAMAN

... PETITIONER / ACCUSED NO.1

Vs

T.L.MAHADEVAN

... PETITIONER/INTERVENER

STATE REP.BY

THE INSPECTOR OF POLICE
ANTI LAND GRABBING CELL,
MADURAI,
CRIME NO.05/2015.

... RESPONDENT / COMPLAINANT

For Petitioner : M/S M.KANNAN Advocate

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

For Intervener : MR.M.SARAVANAN, Advocate

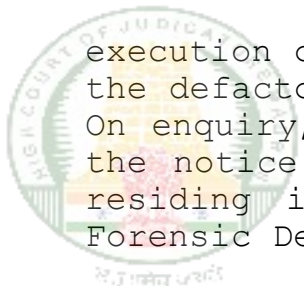
PETITION FOR ANTICIPATORY BAIL Under Sec. 438 Cr.P.C.

ORDER : The Court Made the following order :-

The petitioner, who is arrayed as accused No.1, in Crime No.05 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 120(b), 419, 420, 423, 468, 471 and 506(ii) of I.P.C., and hence, seeks anticipatory bail.

2. The case of the prosecution is that the petitioner fabricated an agreement of sale by forging the signature of the defacto complainant as though the defacto complainant agreed to sell the property belonging to him to one Madhanlal and received a sum of Rs.50,000/-. Therefore, on the complaint preferred by the defacto complainant, the present case has been registered for the offences referred to supra.

3. The learned counsel for the intervenor has submitted that the defacto complainant lost his original documents for the property in question in the year 2007 and for that, on 28.10.2007, he issued a paper publication in a Daily Newspaper and while so, in the year 2010, the petitioner alleged to be the Power of Attorney of the said Madhanlal, issued a notice to the defacto complainant, alleging



execution of sale agreement by the defacto complainant. For that, the defacto complainant has sent a suitable reply to the petitioner. On enquiry, it was found that the name of the persons mentioned in the notice issued by the petitioner are fictitious persons and not residing in the address given in the notice and report of the Forensic Department also proved that the

signature found in the agreement of sale, is not that of the defacto complainant. He further submitted that earlier the petitioner filed anticipatory bail petition before the Sessions court, Madurai and the same was dismissed. Thereafter, again the petitioner moved another application before the same Court in Cr.M.P.No.2171 of 2016 and the same is pending. While the same was pending, suppressing the said fact, the petitioner has filed this present petition before this Court seeking anticipatory bail.

4. The learned Government Advocate(Crl. Side) submitted that by forging the signature of the defacto complainant, the petitioner fabricated an agreement of sale and the investigation is pending.

5. Considering the serious nature of the allegation made against the petitioner, this Court is not inclined to grant anticipatory bail to the petitioner. Hence, this Criminal Original Petition is dismissed.

sd/-
06/07/2016

/ TRUE COPY /

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

pm
TO

1 THE INSPECTOR OF POLICE, ANTI LAND GRABBING CELL,
MADURAI,

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

+1. CC to M/S M.KANNAN Advocate SR.No.35554
+1CC to Mr.M.Saravanan Advocate Sr.No.35223

GJM/ARK/PV/SAR-II-15.7.16-2p-5c

ORDER
IN
CRL OP(MD) No.10601 of 2016
Date :06/07/2016