



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

Thursday, the Fourteenth day of July Two Thousand Sixteen

PRESENT

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

CRL OP(MD) No.11122 of 2016

1 T.G. PRADEEPKUMAR

2 T.P. SAKILA

... PETITIONER / ACCUSED NO. 1& 2

Vs

THE INSPECTOR OF POLICE
SOUTHGATE POLICE STATION,
MADURAI.

IN CR.NO. 519/2016

... RESPONDENT(S) / COMPLAINANT

For Petitioner : M/S R.SEVUGARAJA Advocate

For Respondent : M/S.P.KANNITEHVAN Govt. Advocate (Crl. Side)

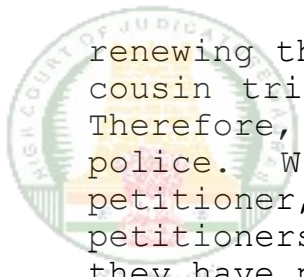
PETITION FOR ANTICIPATORY BAIL Under Sec. 438 Cr.P.C.

ORDER : The Court Made the following order :-

The petitioners, who are arrayed as Accused Nos.1 & 2, apprehend arrest at the hands of the respondent police for the alleged offences punishable under Sections 294(b), 406, 419, 465, 468, 471, 506(i) of IPC and Section 4 of Women Harassment Act, in Crime No.519 of 2016, on the file of the respondent police and hence, seek anticipatory bail.

2.The case of the prosecution is that the defacto complainant is the owner of the property in question. The first petitioner fabricated the documents relating to the house of the defacto complainant and second petitioner signed as a witness to the document and they are in possession of the property from the year 2006. On complaint, case has been registered for the above said offences.

3.The case of the petitioners is that the husband of the defacto complainant entered into a lease agreement with the first petitioner and handed over the possession of the property to the first petitioner as tenant. Subsequently, the husband of the defacto complainant agreed to sell the property to the petitioners and entered into an agreement of sale. Before execution of sale deed, he died. In the year 2010 and 2011 the defacto complainant renewed the lease deed in favour of the first petitioner. While so, after



renewing the lease agreement, the defacto complainant along with his cousin tried to interfere with the possession of the petitioners. Therefore, the first petitioner gave a complaint to the respondent police. Without enquiring the complaint given by the first petitioner, the respondent police falsely implicated the petitioners, in this case. The petitioners are innocent persons and they have not committed any offence as alleged by the prosecution.

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4.The learned Government Advocate(Crl.side) submitted that the defacto complainant is the owner of the property. The petitioners forged the signature of the husband of the defacto complainant created a document and the documents were sent to the Regional Forensic Science Laboratory, Madurai for comparison of signature. After comparison of signature, it has been stated that the signature of the husband of the defacto complainant and attester were forged. He further submitted that earlier this Court, by the order, dated 22.06.2016 dismissed the anticipatory bail filed by the petitioners in Crl.O.P(MD)No.9349 of 2016 and there is no change of circumstances and the investigation is pending and if the petitioners are released on anticipatory bail, they will tamper the witnesses and hamper the investigation.

5.Considering the serious nature of allegations made against the petitioners and also considering the fact that on earlier occasion this Court by the order, dated 22.06.2016 dismissed the anticipatory bail filed by the petitioners in Crl.O.P(MD)No.9349 of 2016 and there is no change of circumstances, this Court is not inclined to grant anticipatory bail to the petitioners. Hence, this petition is dismissed.

sd/-

14/07/2016

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

TO

1 THE INSPECTOR OF POLICE SOUTHGATE POLICE STATION, MADURAI.

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

+1. CC to M/S R.SEVUGARAJA Advocate SR.No.36746

ORDER

IN

CRL OP(MD) No.11122 of 2016

Date :14/07/2016

SDR/SKS-RR/SAR I/25.07.2016/2P/4C