



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

Wednesday, the Twentieth day of July Two Thousand Sixteen

PRESENT

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

CRL OP(MD) No.12233 of 2016

1 VEERAMANI
2 SHANTHA
3 V.P. SHANKAR
4 N. SELVARAJ
5 SUNDAR RAJAN
6 M. NALLUSAMYNNAIDU
7 P. MANIVANNAN
8 PANDURENGAN
9 A. RAJENDRAN
10 D. RAJENDRAN

... PETITIONERS/ACCUSED 1 TO 10

Vs

STATE REP BY
THE INSPECTOR OF POLICE
MANAPPARAI POLICE STATION,
TRICHY DISTRICT.
(CRIME NO.475 OF 2016)

... RESPONDENT/ COMPLAINANT

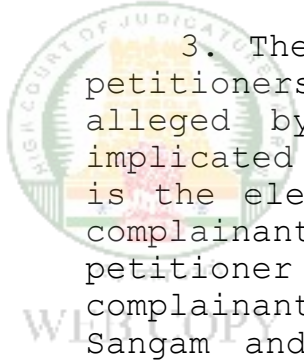
For Petitioner : M/S A.K.MANICKAM Advocate
For Respondent : M/S.P.KANNITHEVAN,
Government Advocate (Crl. Side)

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

ORDER : The Court Made the following order :-

The petitioners, who apprehend arrest at the hands of the respondent police for an alleged offence punishable under Sections 465, 468, 471, 420 and 109 of IPC in Crime No.475 of 2016, seek anticipatory bail.

2. The case of the prosecution is that the defacto complainant is the President of Manapparai, Naidu Mahajana Sangam. The properties situated in Old S.No.573/4, New Survey No.76 belongs to Manapparai, Naidu Mahajana Sangam. The first petitioner without having right over the property changed the Tax receipts and other connected documents as if it was belonged to him, with the help of the second petitioner by forged documents and received advance amount of Rs.19,00,000/- from the tenant. On complaint, a case has been registered against the petitioners.



3. The learned counsel for the petitioners submitted that the petitioners are innocent and they have not committed any offence as alleged by the prosecution and their names have been falsely implicated in this case. He further submitted that first petitioner is the elected President of the above said Sangam and the defacto complainant is the paternal uncle of first petitioner and the second petitioner is the mother of the first petitioner. The defacto complainant claims to be the President of Manapparai Naidu Mahajana Sangam and due to which there was a dispute between the first petitioner and the defacto complainant. The defacto complainant has filed another complaint in Crime No.8 of 2014, on the file of the Inspector of Police, Land Grabbing Cell, Trichy for the offence under Sections 120(b), 420, 465, 468, 471 and 506(i) of IPC for the very same set of facts and that the petitioners filed CrI.O.P(MD). No.11002 of 2014 before this Court and this Court by order dated 25.06.2014 granted stay of filing final report alone. In such circumstances, the defacto complainant has given the false complaint against the petitioner and prayed for granting anticipatory bail in favour of the petitioners.

4. The learned Government Advocate (CrI. Side) submitted that the investigation of the case is pending.

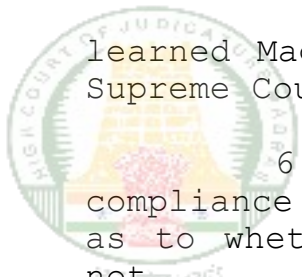
5. Considering the relationship between the first petitioner and the defacto complainant and both are claiming that they are President of Manapparai Naidu Mahajana Sangam and in the earlier petition filed by the petitioners this Court has granted interim stay for filing final report, I am inclined to grant anticipatory bail to the petitioners. Accordingly, the petitioners are ordered to be released on bail in the event of arrest or on their appearance, within a period of fifteen days from the date of receipt of a copy of this order, before the learned Judicial Magistrate, Manapparai on condition that each of the petitioners shall execute 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 respondent police or the police officer who intends to arrest or to the satisfaction of the learned Magistrate concerned and on further condition that:

[a] the petitioners 1 and 3 to 10 shall report before the respondent police daily at 10.00 am until further orders and the second petitioner being a lady shall appear before the respondent Police as and when required for interrogation.

[b] the petitioners shall not tamper with evidence or witness either during investigation or trial.

[c] the petitioners shall not abscond either during investigation or trial.

[d] On breach of any of the aforesaid conditions, the learned Magistrate/Trial Court is entitled to take appropriate action against the petitioners in accordance with law as if the conditions have been imposed and the petitioners released on bail by the



learned Magistrate/Trial Court himself as laid down by the Hon'ble Supreme Court in P.K.Shaji vs. State of Kerala [(2005)AIR SCW 5560].

6.The Inspector of Police concerned is directed to send a compliance report to the office of the learned Government Advocate, as to whether the petitioners are complying with the condition or not.

WEB COPY

sd/-
20/07/2016

/ TRUE COPY /

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

TO

1.THE JUDICIAL MAGISTRATE
MANAPARAI

2.DO THROUGH THE CHIEF JUDICIAL MAGISTRATE
TRICHY DISTRICT

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

4.THE INSPECTOR OF POLICE
MANAPPARAI POLICE STATION,
TRICHY DISTRICT.

+1. CC to M/S A.K.MANICKAM Advocate SR.No.38168
RL/6C/3P/SK/SKN/SARI/27/7/2016

ORDER
IN
CRL OP(MD) No.12233 of 2016
Date :20/07/2016