



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

Monday, the Twenty Fourth day of October Two Thousand Sixteen

PRESENT

The Hon`ble Mr.Justice S.VAIDYANATHAN

CRL OP(MD) No.15962 of 2016

1 AAIRAM

2 ESAKKIAMMAL

... PETITIONERS/ACCUSED No. 2 & 3

Vs

STATE THROUGH BY
THE INSPECTOR OF POLICE,
GANGAIKONDAN POLICE STATION,
CR.NO. 132 OF 2016,
TIRUNELVELI DISTRICT.

... RESPONDENT/COMPLAINANT

FOR PETITIONER : M/S P.MANI ANANDH, ADVOCATE

FOR RESPONDENT : Mr.K.V.RAJARAJAN, GOVERNMENT ADVOCATE (CRL.SIDE)

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

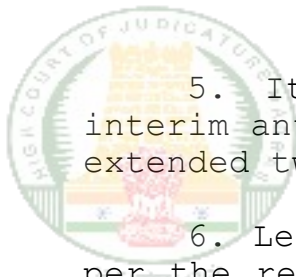
ORDER : The Court Made the following order :-

Apprehending arrest at the hands of the respondent police for the alleged offences punishable under Sections 468, 471 and 420 IPC in Crime No.132 of 2016 on the file of the respondent police, the petitioners have come forward with this petition seeking anticipatory bail.

2. Heard the learned counsel for the petitioners and the learned Government Advocate (Crl.Side) appearing for the respondent police.

3. The case of the prosecution is that the defacto complainant's father purchased a property from A1 through a registered sale deed and his father also died on 03.05.2008. When the defacto complainant applied for encumbrance certificate, he came to know that A1, who was also dead, created forged documents as if he settled the property in favour of A2 and A3 / petitioners herein, who are his daughters.

4. Learned counsel for the petitioners has submitted that the petitioners were not aware of the fact that their father already sold the property to the defacto complainant's father. He would further submit that the occurrence is alleged to have taken place in the year 2012 and the complaint has been lodged only in the year 2016.



5. It is seen that on 06.09.2016, this Court had granted interim anticipatory bail to the petitioners, which was subsequently extended twice on 20.09.2016 and 07.10.2016 respectively.

6. Learned Government Advocate (Crl.Side) would submit that as per the records available in the Sub Registrar Office, the property had been sold in the year 2012 itself and the petitioners, after the demise of their father, have created a forged settlement deed as if it has been executed by their father in favour of the petitioners herein.

7. Even though A1 has been made as accused, he is no more. Considering the serious nature of the offences said to have been committed by the petitioners, this Court is of the view that custodial interrogation of these petitioners is very much required in this case and therefore, this Court is not inclined to grant anticipatory bail to them.

8. Accordingly, this Criminal Original Petition is dismissed and the interim order already granted is vacated.

sd/-
24/10/2016

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

TO

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

ORDER
IN
CRL OP(MD) No.15962 of 2016
Date :24/10/2016

AR

TE/SS-2/SAR-III : 10/11/2016 : 2P/5C