



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.16029 of 2016

1 KODURI SURESH
2 M.V. SUBBA REDDY

... PETITIONERS/ACCUSED
(RANK NOT KNOWN)

Vs

THE STATE REP. BY
THE INSPECTOR OF POLICE,
OTTAPIDARAM POLICE STATION,
THOOTHUKUDI DISTRICT.
(CRIME NO. 227 OF 2013)

... RESPONDENT/COMPLAINANT

FOR PETITIONERS: M/S A.THIRUVADI KUMAR, ADVOCATE
FOR RESPONDENT : Mr.K.V.RAJARAJAN, GOVERNMENT ADVOCATE (CRL. SIDE)

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

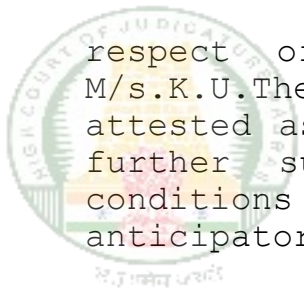
ORDER : The Court Made the following order :-

Apprehending arrest at the hands of the respondent police for the alleged offences punishable under Sections 420, 419 and 465 IPC in Crime No.227 of 2013 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. 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 06.10.2016 respectively.

4. Learned Government Advocate (Crl.Side) would submit that the 2nd petitioner is not an accused in this case and that the mother of the defacto complainant executed a Power of Attorney in favour of one Subburaj to sell 1 acre of land out of 3 acres and 54 cents and the said Subburaj had sold 1 acre land to one Raja Manoharan / A1, who, in order to cheat the complainant, had executed a sale deed in



respect of the entire 3 acres and 54 cents in favour of M/s.K.U.Thermal Power Plant Pvt. Ltd. and the 1st petitioner/A3 had attested as a witness in the sale deed dated 21.09.2011. He would further submit that the petitioners have complied with the conditions imposed by this Court, while granting interim anticipatory bail and A1 & A2 are still absconding.

5. Considering the fact that the 1st petitioner has complied with the conditions imposed by this Court and also the fact that the petitioner is only an attesting witness, the interim anticipatory bail already granted by this Court is made absolute with a condition that the 1st petitioner shall report before the respondent police as and when required for interrogation. Once a charge sheet is filed and taken on file, the Trial Court shall take up the matter and proceed with the trial on day to-day basis without adjourning the case beyond 10 working days at any point of time.

6. It is open to the respondent police to secure the presence of A1 and A2 so as to conclude the investigation at the earliest.

7. This petition in respect of the 2nd petitioner is dismissed, as he is not an accused in this case.

sd/-
24/10/2016

/ TRUE COPY /

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

TO

1. THE JUDICIAL MAGISTRATE, VILATHIKULAM.
2. THE CHIEF JUDICIAL MAGISTRATE,
TUTICORIN DISTRICT.
3. THE INSPECTOR OF POLICE,
OTTAPIDARAM POLICE STATION,
THOOTHUKUDI DISTRICT.
4. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.

+1. CC to M/S A.THIRUVADI KUMAR Advocate SR.No. 63452

ORDER IN
CRL OP(MD) No.16029 of 2016
Date :24/10/2016