



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

Tuesday, the Eighth day of March Two Thousand Sixteen
PRESENT

The Hon`ble Mr Justice P.N.PRAKASH

CRL OP(MD) No.2110 of 2016

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MR. S. MUNIYANDI

... PETITIONERS/ACCUSED NO.2

Vs

STATE REP BY THE INSPECTOR OF POLICE
ANTI LAND GRAB WING,
NEAR PANDIAN HOTEL,
MADURAI CITY, MADURAI.
CR NO.88/2015.

... RESPONDENT/COMPLAINANT

For Petitioner : M/S T.MUTHUKUMAR Advocate

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

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

ORDER : The Court Made the following order :-

The petitioner, who apprehended arrest at the hands of the respondent Police for the alleged offences punishable under Sections 465, 468, 471, 420 I.P.C., in Crime No.88 of 2015, on the file of the respondent Police, seeks anticipatory bail.

2. Heard Mr.T.Muthukumar, learned counsel appearing for the petitioner / second accused and Mr.A.P.Balasubramani, learned Government Advocate (Criminal Side) appearing for the State.

3. It is seen that the property in question originally belonging to the *de facto* complainant's husband Sudarsan, who had purchased the same, from one Angi Anuman, under a Sale Deed, dated 20.11.1981, which has been registered as document No.6321 of 1981. Thereafter, Ibrahim (A1) has given a power of attorney to the petitioner / second accused, as if the said property belongs to him. On the strength of the said bogus power of attorney, the petitioner / second accused sold the property in question to various persons including one Pushpam.

4. The learned counsel appearing for the petitioner / second accused has submitted that the petitioner's principal Ibrahim had validly purchased the property in question from the *de facto* complainant's husband Sudarsan. But, in the Power of Attorney, dated 02.03.2007, executed by Ibrahim in favour of the petitioner / second accused herein, it is cleverly stated that Ibrahim had purchased the property in question under a Sale Deed, dated 20.11.1981, registered as document No.6321 of 1981, but the said



document relates to the purchase of the property by Sudarsan from Angi Anuman. Under such circumstances, this Court is not inclined to grant anticipatory bail to the petitioner / second accused.

5. In the result, this criminal original petition fails and it is dismissed.

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sd/-
08/03/2016

/ TRUE COPY /

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

TO

1 THE INSPECTOR OF POLICE
ANTI LAND GRAB WING,
NEAR PANDIAN HOTEL,
MADURAI CITY, MADURAI.

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

+1. CC to M/S T.MUTHUKUMAR Advocate SR.No.13129

ORDER
IN
CRL OP(MD) No.2110 of 2016
Date :08/03/2016

AA/NGM-SS/SAR-I/11.03.2016/2p-4c