



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

Monday, the Twenty Fifth day of April Two Thousand Sixteen

PRESENT

The Hon`ble Mr Justice G.CHOCKALINGAM

CRL OP(MD) No.6638 of 2016

J.THANGA MARIAPPAN

... PETITIONER / ACCUSED No.2

Vs

THE STATE REP.BY
THE SUB-INSPECTOR OF POLICE
SATTUR POLICE STATION
VIRUDHUNAGAR DISTRICT
CR.NO.377/2014

... RESPONDENT / COMPLAINANT

For Petitioner : M/S G.THALAIMUTHARASU 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/A2 apprehends arrest at the hands of the respondent police for the alleged offences punishable under Sections 419, 420, 120(b), 465, 467, 468 and 471 of IPC, in Crime No.377 of 2014 on the file of the respondent police and hence, seeks anticipatory bail.

2.The de-facto complainant has lodged a complaint before the respondent police stating that his father Periya Muthiah and his brother Mariadoss were allotted plot Nos.3 and 4, in the year 1984 by the Special Tahsildar, Adi Dravidar Welfare Department, Srivilliputhur and his brother died on 11.01.1989 without any issue and after that patta belongs to him under the custody of one Suresh Kumar and whenever, he requested the said Suresh Kumar to return the original patta, the same was refused by him and when the de-facto complainant has got encumbrance certificate for the plot of his brother Mariadoss, it came to light that the said plot was sold by the accused persons by creating forged document.

3.The learned counsel for the petitioner submitted that the petitioner is an innocent person and he has not committed any offence as alleged by the prosecution. It is further submitted that a suit in O.S.No.87 of 2015 has been filed by the mother of the de-facto complainant against the petitioner to declare that the sale deed executed under document No.2668 of 2013 has null and void and that suit was decreed and it is a matter of civil in nature.



4. Heard the learned Government Advocate (Criminal side) appearing for the respondent.

5. Considering the facts and circumstances of the case, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions.

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6. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on his appearance before the learned Judicial Magistrate No.II, Kovilpatti and on his executing 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 learned Magistrate concerned and on further condition that the petitioner shall appear before the respondent police every Monday at 10.00 a.m. until further orders. The petitioner shall comply with the condition stipulated under Section 438 Cr.P.C. scrupulously. The respondent police is at liberty to secure the petitioner in the event of non-compliance of the above conditions.

7. The petitioner shall appear before the concerned Magistrate within a period of 15 days from the date on which the order copy made ready, failing which, the petition for anticipatory bail stands dismissed.

sd/-
25/04/2016

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

TO

- 1 THE JUDICIAL MAGISTRATE NO.II, KOVILPATTI.
- 2 DO THRO' THE CHIEF JUDICIAL MAGISTRATE THOOTHUKUDI.
- 3 THE ADDL. PUBLIC PROSECUTOR
MADRAI BENCH OF MADRAS HIGH COURT, MADURAI.
- 4 THE SUB-INSPECTOR OF POLICE
SATTUR POLICE STATION
VIRUDHUNAGAR DISTRICT.

+1. CC to M/S G.THALAIMUTHARASU Advocate SR.No.23806

RG.SK-SKN/AR-I 02.05.2016 2P/6C

ORDER
IN
CRL OP (MD) No.6638 of 2016
Date : 25/04/2016