



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

Friday, the Third day of June Two Thousand Sixteen

PRESENT

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

CRL OP(MD) No.8475 of 2016

J. THANGA MARIAPPAN

... PETITIONER/ACCUSED NO.2

Vs

STATE REP BY THE SUB INSPECTOR OF POLICE
SATTUR POLICE STATION,
VIRUDHUNAGAR DISTRICT.
(CRIME NO. 377/2014)

... RESPONDENT/COMPLAINANT

For Petitioner : M/S G.THALAIMUTHARASU Advocate

For Respondent : MR.K.ANBARASAN Govt. Advocate (Crl. Side)

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

ORDER : The Court Made the following order :-

The petitioner, who is arrayed as A2, apprehending arrest at the hands of the respondent police, for the alleged commission of offences punishable under Sections 419, 420, 120(b), 465, 467, 468 and 471 of I.P.C., in Crime No.377 of 2014, on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that the *de-facto* complainant's father - Periya Muthiah and the *de-facto* complainant's 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 documents.

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. Further, the learned counsel submitted that the petitioner has already filed Crl.O.P.(MD) No.6638 of 2016 before this Court. This Court, by order dated 25.04.2016, granted anticipatory bail to the petitioner. But, the petitioner could not comply the condition imposed by this Court due to wrong



mentioning of satisfaction Court as Judicial Magistrate No.II, Kovilpatti instead of Judicial Magistrate No.II, Sattur and the anticipatory bail petition was dismissed automatically. Hence, the petitioner has come out with the present petition for Anticipatory Bail.

4. Heard the learned Government Advocate (Criminal side).

5. Considering the facts and circumstances of the case and also the fact that this Court has already granted anticipatory bail to the petitioner in CrI.O.P.(MD)No.6638 of 2016, dated 25.04.2016, I am inclined to grant anticipatory bail to the petitioner with certain conditions. 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, Sattur, 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 on every Monday at 10.00 a.m., until further orders. The petitioner shall comply with the conditions stipulated under Section 438 Cr.P.C. Scrupulously.

6. 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/-
03/06/2016

/ TRUE COPY /

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

TO

- 1 THE JUDICIAL MAGISTRATE NO.II, SATTUR
- 2 THE CHIEF JUDICIAL MAGISTRATE, VIRUDHUNAGAR AT SRIVILLIPUTHUR
- 3 THE SUB INSPECTOR OF POLICE
SATTUR POLICE STATION, VIRUDHUNAGAR DISTRICT.
- 4 THE ADDL PUBLIC PROSECUTOR
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1. CC to M/S G.THALAIMUTHARASU Advocate SR.No.27898

ORDER
IN
CRL OP(MD) No.8475 of 2016
Date : 03/06/2016

AA/DB/SAR-II/07.06.2016/2p-6c