



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

Monday, the Twentieth day of June Two Thousand Sixteen

PRESENT

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

CRL OP(MD) No.9677 of 2016

MUTHUKUMAR

... PETITIONER/ACCUSED RANK NOT KNOWN

Vs

STATE REP.BY THE INSPECTOR FO POLICE

KAYATHAR POLICE STATION, TUTICORIN DISTRICT.

CR. NO.267/2011

... RESPONDENT/COMPLAINANT

For Petitioner : M/S M.VEILKANI RAJU Advocate

For Respondent : Mr.P.Kannithevan Govt. Advocate (Crl. Side)

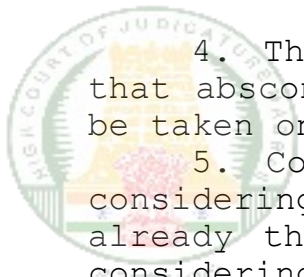
PETITION FOR ANTICIPATORY BAIL Under Sec. 438 Cr.P.C.

ORDER : The Court Made the following order :-

The petitioner, who is arrayed as Accused, apprehends arrest at the hands of the respondent police for the offences punishable under Sections 420, 423, 465, 467 and 468 of IPC, in Crime No.267 of 2011, on the file of the respondent police and hence, seeks anticipatory bail.

2. The case of the prosecution is that the husband of the *de-facto* complainant - Meenakshisundaram and one Muthupandian purchased the land in Old Survey No.275/2, New Survey No.275/15, situated at Kayathar, Tuticorin District, from A1 on 05.03.1994. After execution of sale deed, the said Muthupandian executed a release deed in favour of the husband of the *de-facto* complainant. The husband of the *de-facto* complainant died on 19.08.1999. After the death of her husband, A1, who is the Vendor of her husband, executed a Power of Attorney, appointing A2 as his Agent to deal with very same property. A2 sold the property to A3 on 15.11.2010 and on complaint, the case has been registered for the offences stated above.

3. The case of the petitioner is that he is an innocent and he has been falsely implicated in this case and his name is not found in the FIR. Originally, A1 entered into an agreement with the petitioner to sell the land. Subsequently, the petitioner came to understand that A1 cheated him. Therefore, the petitioner lodged a complaint with the respondent police and the same was registered in Crime No.143 of 2014, for the offences under Sections 423, 465, 467 and 468 of IPC.



4. The learned Government Advocate (Criminal side) submitted that absconding charge sheet has been filed and the same is yet to be taken on file.

5. Considering the facts and circumstances of the case and considering the fact that the crime number is of the year 2011 and already the petitioner has given a complaint against A1 and also considering the fact that the charge sheet has been filed and the same is yet to be taken on file, this Court is 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, 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 concerned Court regularly in all future hearings without fail. 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/-
20/06/2016

/ TRUE COPY /

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

TO

- 1 THE JUDICIAL MAGISTRATE NO.II, KOVILPATTI.
- 2 THE CHIEF JUDICIAL MAGISTRATE, TUTICORIN.
- 3 THE INSPECTOR FO POLICE
KAYATHAR POLICE STATION, TUTICORIN DISTRICT.
- 4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1. CC to M/S M.VEILKANI RAJU Advocate SR.No. 31426
smn2
JA-SK-SKN-SAR.I/23.6.2016/2P-6C

ORDER
IN
CRL OP(MD) No.9677 of 2016
Date :20/06/2016