



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

Wednesday, the Twenty Seventh day of September Two Thousand
Seventeen

PRESENT

WEB COPY

The Hon`ble Mr.Justice M.V.MURALIDARAN

CRL OP(MD) No.12776 of 2017

POGAPPAN, ... PETITIONER / ACCUSED NO.1

Vs

THE STATE REP.BY
THE INSPECTOR OF POLICE,
VACHAKARAPATTI POLICE STATION,
VIRUDHUNAGAR DISTRICT,
CRIME NO.350 OF 2017 ... RESPONDENT / COMPLAINANT

For Petitioner : M/S.R.PON KARTHIKEYAN Advocate

For Respondent : MR.C.RAMESH, ADDITIONAL PUBLIC PROSECUTOR

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

ORDER : The Court Made the following order :-

The petitioner / accused No.1, who apprehends arrest at the hands of the respondent Police for the offence punishable under Sections 420, 465, 468, 471 and 120(b) I.P.C., in Crime No.350 of 2017 on the file of the respondent Police, seeks anticipatory bail.

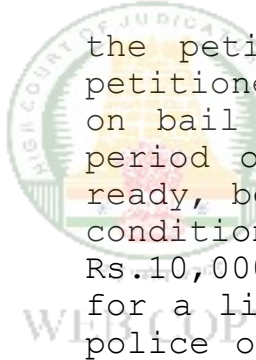
2.Heard the learned counsel for the petitioner and the learned Additional Public Prosecutor appearing for the respondent Police.

3.The case of the prosecution is that the accused said to have created a power of attorney on 09.06.2006 and on the strength of the said power of attorney, it is alleged that the property was sold to other accused persons and there is a dispute between the petitioner and the defacto complainant, with regard to property. Hence, the present complaint has been lodged.

4. The learned counsel for the petitioner submitted that the petitioner is no way connected with the alleged offence and he is innocent and he has been falsely implicated in this case.

5.The learned Additional Public Prosecutor submitted that the petitioner has committed serious offence and he opposed for granting anticipatory bail.

6.Considering the facts and circumstances of the case and considering the gravity of offence said to have been committed by



the petitioner, I am inclined to grant anticipatory bail to the petitioner. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on their appearance, within a period of 15 days from the date on which the order copy is made ready, before the learned Judicial Magistrate No.I, Virudhunagar, on condition that the petitioner shall execute a bond for a sum of Rs.10,000/- (Rupees ten thousand only) each with two sureties each for a like sum to the satisfaction of the respondent Police or the police officer who intends to arrest or to the satisfaction of the learned Magistrate concerned and on further condition that:

[a]the petitioner shall report before the respondent police, daily at 10.30 a.m., for a period of two weeks and thereafter, as and when required.

[b]the petitioner shall not tamper with evidence or witness either during investigation or trial.

[c]the petitioner shall not abscond either during investigation or trial.

[d]on breach of any of the aforesaid conditions, the learned Magistrate / Trial Court is entitled to take appropriate action against the petitioner in accordance with law as if the conditions have been imposed and the petitioner released on bail by the learned Magistrate / Trial Court himself as laid down by the Hon'ble Supreme Court in **P.K.Shaji vs. State of Kerala (2005 AIR SCW 5560)**.

sd/-

27/09/2017

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

PMU

TO

1 THE JUDICIAL MAGISTRATE NO.I, VIRUDHUNAGAR

2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE
VIRUDHUNAGAR DISTRICT AT SRIVILLIPUTHUR

3 THE INSPECTOR OF POLICE,
VACHAKARAPATTI POLICE STATION, VIRUDHUNAGAR DISTRICT.

4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1. CC to M/S.R.PON KARTHIKEYAN Advocate SR.No.31716

GJM/RR/BS/SAR-I-3.10.17-2P-6C

ORDER

IN

CRL OP(MD) No.12776 of 2017

Date :27/09/2017