



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

Thursday, the Twenty Sixth day of October Two Thousand Seventeen

PRESENT

The Hon`ble Mr.Justice M.DHANDAPANI

CRL OP(MD) No.1327 of 2017

SOFIA

... PETITIONER/ACCUSED No.1

Vs

THE STATE OF TAMIL NADU
THE INSPECTOR OF POLICE
DISTRICT CRIME BRANCH,
KANYAKUMARI DISTRICT
AT NAGERCOIL.

... RESPONDENT / COMPLAINANT

For Petitioner : M/S.C.K.M.APPAJI Advocate

For Respondent : MR.K.ANBARASAN, Govt. Advocate (Cr1. Side)

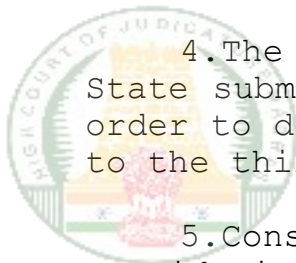
PETITION FOR ANTICIPATORY BAIL Under Sec. 438 Cr.P.C.

ORDER : The Court Made the following order :-

The petitioner/A1, who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 120 (B), 420, 423, 465, 467, 468 of I.P.C, in Crime No.23 of 2016, on the file of the respondent police, seek anticipatory bail.

2.The case of the prosecution is that there was a dispute with regard to the claim of the ancestral property in between the petitioner and other brother-in-law, mother -in-law of the petitioner and for which civil proceedings was initiated by the parties. Thereafter, the parties settled the same between them by allotting proper share to the petitioner and her son. After allotting the property in favour of his sons, the present petitioner with connivance of A2 sold the property to some third party in order to cheat her minor son. The minor son is with the mother-in-law of the defacto complainant and therefore, the mother-in-law of the defacto complainant filed a complaint. It is alleged that the petitioner has illegal intimacy with A2 and joined together to sell the property, and tried to alienate the property along with A2. Hence, the defacto complainant lodged a complaint before the respondent police.

3.The learned counsel for the petitioner would submit that the petitioner sold his minor son's property to third party. however, the sale proceeds deposited in the name of her minor son.



4.The learned Government Advocate (Crl.side) appearing for the State submitted that the petitioner had illegal intimacy with A2 in order to deprive the rights of the minor sons, and sold the property to the third party and the investigation is still pending.

5.Considering the facts and circumstances of the case and considering the submission made by the learned Government Advocate (Crl.side) that the investigation is still pending and if this Court granted anticipatory bail to the petitioner, she would tamper the witness and interfere with the investigation, this Court is not inclined to grant anticipatory bail. Accordingly, this criminal original petition is dismissed.

sd/-
26/10/2017

/ TRUE COPY /

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

TO

- 1 THE INSPECTOR OF POLICE
DISTRICT CRIME BRANCH,
KANYAKUMARI DISTRICT AT NAGERCOIL.
- 2 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI

ORDER
IN
CRL OP(MD) No.1327 of 2017
Date :26/10/2017

SMA/RR/SAR-1/06.11.2017:2P/3C