



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

Thursday, the Twelfth day of October Two Thousand Seventeen

WEB COPY

PRESENT

The Hon`ble Mr.Justice M.DHANDAPANI

CRL OP (MD) No.13767 of 2017

1 BALU
2 B.ASHOKUMAR
3 RANI
4 ABARNA

... PETITIONERS/ACCUSED 3to6

Vs

THE
THE SUB INSPECTOR OF POLICE
LAND GRABBING SPECIAL CELL, THENI,
CR.NO.18/2015

... RESPONDENT/COMPLAINANT

For Petitioners : M/S.M.POUNRAJ Advocate

For Respondent : Mr.K.ANBARASAN, Government Advocate (Crl.side)

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

ORDER : The Court Made the following order :-

The petitioners, who are arrayed as Accused Nos.3 to 6, apprehend arrest at the hands of the respondent police for the offences punishable under Sections 419, 420, 468, 471, 294(b) and 506(ii) of I.P.C in Crime No.18 of 2015, on the file of the respondent police, seek anticipatory bail.

2.The case of the prosecution is that the de-facto complainant is the brother of the first petitioner. The first petitioner created a power of attorney dated 30.10.1995 and subsequently created a sale deed dated 02.04.1996, by impersonating the defacto complainant. The first petitioner created a forged power of attorney by impersonating the defacto complainant and given general power of attorney to the first accused in respect of S.No.2353/1 and the same was executed by way of sale deed in favour of the second accused. It is further averred that the second accused given the general power of attorney to the third accused on 23.12.2002. The first petitioner created a fictitious sale deed in favour of his son, on 21.11.2013, who is second petitioner/A4 herein and a civil suit in O.S.No.139 of 2014 has been filed before the District Munsif Court, Andipatti. Hence, a case has been registered against the petitioner for the aforesaid offences.



3.The learned counsel appearing for the petitioners would submitted that the petitioners are innocent persons and they have not committed any offence as alleged by the prosecution.

4.The learned Government Advocate (Crl.side) appearing for the State submitted that the dispute between the parties is civil in nature and they have created forged documents one after another.

6.Considering the facts and circumstances of the case, I am inclined to grant anticipatory bail to the petitioners with certain conditions. Accordingly, the petitioners are ordered to be released on bail in the event of arrest or on their appearance, within a period of fifteen days from the date of receipt of a copy of this order, before the learned Judicial Magistrate, Theni District, on condition that the petitioners shall execute a bond for a sum of Rs.25,000/- (Rupees twenty five thousand only), each with two sureties for a like-sum to the satisfaction of the respondent Police or to the Police Officer, who intends to arrest or to the satisfaction of the learned Magistrate concerned and on further condition that:

(i) the petitioner shall report before the respondent police daily at 10.00a.m., for a period of three weeks and thereafter, as and when required for interrogation;

(ii) the petitioners shall not tamper with evidence or witness either during investigation or trial.

(iii) the petitioners shall not commit any offence while on bail;

(iv) On breach of any of the aforesaid conditions, the petition for anticipatory bail stands dismissed.

sd/-
12/10/2017

/ TRUE COPY /

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

TO

1 THE JUDICIAL MAGISTRATE,
THENI



2 -do- thro' THE CHIEF JUDICIAL MAGISTRATE,
THENI DISTRICT

3 THE SUB INSPECTOR OF POLICE
LAND GRABBING SPECIAL CELL, THENI,

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

+1. CC to M/S.M.POUNRAJ Advocate SR.No.32637

ORDER

IN

CRL OP (MD) No.13767 of 2017

Date :12/10/2017

mrn/vsg

SH/PM-PN/SAR-1:20.10.2017: 3p/6c