



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

Monday, the Twenty Third day of October Two Thousand Seventeen

WEB COPY

PRESENT

The Hon`ble Mr.Justice M.DHANDAPANI

CRL OP(MD) No.14086 of 2017

1 P.SUBBUKRISHNAN

2 B.THANALAKSHMI

... PETITIONERS/ACCUSED Nos.5&6

Vs

THE INSPECTOR OF POLICE
AUSTINPATTI POLICE STATION,
MADURAI DISTRICT
Crime No.311/2017

... RESPONDENT/COMPLAINANT

For Petitioner : Mr.T.THIRUMURUGAN, 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/accused Nos.5 & 6, who apprehend arrest at the hands of the respondent police for the offences punishable under Sections 406, 420, 465, 468, 471, 294(b) and 506(1) IPC, in Crime No.311 of 2017, on the file of the respondent police, seek anticipatory bail.

2.The case of the prosecution is that the petitioners and others approached one Dhanalakshmi, who is the original owner of the property, with an intention to purchase the property. Accordingly, without any agreement, they collected original deeds from the said Dhanalakshmi. Thereafter, the alleged transaction was carried out by the petitioners and they sold the property to other persons, for which, Dhanalakshmi made a complaint to the District Registrar, for cancellation of the documents, which was created by using bogus ration card and bogus deed. In that complaint, the registering authority arrived at a conclusion that based on the bogus ration card, the accused persons approached the fictitious persons for registering the documents, which were registered as Documents Nos.1456 to 1463/2015. The District Registrar(Administration), Madurai (South), vide order dated 08.06.2017, after analyzing the documents and the genuineness of the report of the Revenue Divisional Officer, cancelled the said documents.



3.The learned counsel appearing for the petitioners would submit that the petitioners are innocence and they are owners of the property and they sold the property to the de-facto complainant.

4.The learned Government Advocate (Crl.side) appearing for the state would submit that de-facto complainant purchased a property from the fictitious person and only after the investigation, the real owner came to be known to the surface. He further submitted that investigation is still pending and he is vehemently opposed for grant of anticipatory bail to the petitioners.

5.On the face of the records, there were several transactions done by the petitioners and the same were disclosed by the revenue authorities as well as the District Registrar, Madurai. They have held that the transactions were bogus one. In view of the above, I am not inclined to grant anticipatory bail to the petitioners. Accordingly, this Anticipatory bail petition is dismissed.

sd/-
23/10/2017

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

TO

1 THE INSPECTOR OF POLICE
AUSTINPATTI POLICE STATION, MADURAI DISTRICT

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

+1. CC to M/S.T.LAJAPATHI ROY Advocate SR.No.33007

ORDER
IN
CRL OP(MD) No.14086 of 2017
Date :23/10/2017

myr
SH/CM/SAR-1:03.11.2017:2P/4C