



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

Monday, the Thirteenth day of February Two Thousand Seventeen

PRESENT

The Hon`ble Mr.Justice A.M.BASHEER AHAMED
CRL OP(MD) No.1444 of 2017

WEB COPY

R.TARADEVI

... PETITIONER/ACCUSED NO.1

Vs

STATE THROUGH
THE INSPECTOR OF POLICE,
CITY CRIME BRANCH,
MADURAI CITY.
(CRIME NO.24/2016).

... RESPONDENT/COMPLAINANT

For Petitioner : M/S.V.OM PRAKASH Advocate

For Respondent : M/S.P.KANDASAMY Govt. Advocate (Crl. Side)

For Intervenor : M/S.P.MUTHUVIJAYAPANDIAN

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

ORDER : The Court Made the following order :-

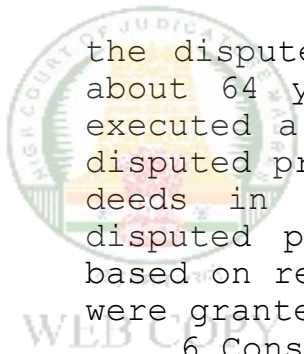
The petitioner, who is arrayed as A-1, in Crime No.24 of 2016 on the file of the respondent police, apprehends arrest at the hands of the respondent police for the alleged offences punishable under Sections 120(b), 406 and 420 IPC and hence, seeks anticipatory bail.

2.Heard the learned counsel for the petitioner and the learned Government Advocate (Crl. Side) for the respondent/State.

3.The learned counsel for the petitioner submitted that the petitioner is innocent in respect of settlement deed executed in favour of her son and there is a suit filed by A.2 against the defacto complainant and the petitioner herein in respect of the sale deeds and is pending.

4.The learned counsel for the Intervenor submitted that suppressing the settlement deed in favour of A.3 in this case by A.1, the petitioner has executed the alleged sale deeds in favour of the defacto complainant.

5.The learned Government Advocate (Crl. Side) appearing for the respondent on instructions submitted that totally there are three accused in this case. The petitioner herein is arrayed as A.1 and A.2 is the wife of A.3 and A.3 is son of A.1. All the accused are living in the same property and conspired together and suppressed the execution of the settlement deed executed by A.1 in favour of A.3, who in turn settled the very same property in favour of A.2 and also executed the sale deeds in favour of the defacto complainant/Intervenor. He would further submit that the investigation is still pending. There is a suit filed by A.2 against the remaining accused and also the defacto complainant in respect of



the disputed property and is still pending. The petitioner is aged about 64 years. The petitioner herself has admitted that she has executed a settlement deed in favour of her son in respect of the disputed property and it is also admitted that she has executed sale deeds in favour of the defacto complainant in respect of the disputed property. Hence, the offences against the petitioner is based on records and the petitioner is aged 64 years and A.2 and A.3 were granted anticipatory bail by this Court.

6. Considering the above facts and circumstances of the case and also considering the fact that the offences charged against the petitioner is based on record and also considering the age of the petitioner herein, 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.I, Madurai 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 respondent police daily at 10.30 a.m., until further orders **and the petitioner is also directed to co-operate with the investigation in this case.** The petitioner shall comply with the conditions stipulated under Section 438 Cr.P.C. scrupulously.

7. 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/-
13/02/2017

/ TRUE COPY /

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

TO

1. THE JUDICIAL MAGISTRATE NO. I
MADURAI.
2. -DO-THROU THE CHIEF JUDICIAL MAGISTRATE,
MADURAI DISTRICT.
3. THE INSPECTOR OF POLICE, CITY CRIME BRANCH,
MADURAI CITY.
4. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.

+1. CC to M/S.V.OM PRAKASH Advocate SR.No.8158
PS
AE/CM MSA/SAR3/16.02.2017/3P/6C

ORDER
IN
CRL OP(MD) No.1444 of 2017
Date :13/02/2017