



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

Tuesday, the Thirty First day of October Two Thousand Seventeen

PRESENT

The Hon`ble Mr.Justice M.DHANDAPANI

CRL OP(MD) No.14673 of 2017

1 ARUMUGASAMY
2 VASANTHAVILASH
3 ADHIBAN

... PETITIONERS / ACCUSED 4 to 6

Vs

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

... RESPONDENT / COMPLAINANT

For Petitioners : M/S.R.ILAYARAJA Advocate

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

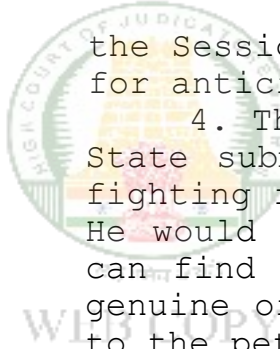
PETITION FOR ANTICIPATORY BAIL Under Sec. 438 Cr.P.C.

ORDER : The Court Made the following order :-

The petitioners/A4 to A6, who apprehend arrest at the hands of the respondent police for the offences punishable under Sections 420, 465, 468, 471 and 120(B) of I.P.C, in Crime No.350 of 2017, on the file of the respondent police, seek anticipatory bail.

2.The case of the prosecution is that the defacto complainant's husband was died leaving behind herself, one son and three daughters are his legal heirs. After his demise, without knowledge of the defacto complainant, A1 executed a power of attorney in favour of A2 in the year 2006. Thereafter, A2 executed a settlement deed in favour of A3 in the year 2006. Again, A3 executed a power of attorney in favour of A4 in the year 2008. Thereafter, A4 executed a sale deed in favour of A5 in the year 2009. The above said deeds have been registered in between 2006 and 2009. After coming to know about the registration of those sale deeds in favour of these persons, the defacto complainant lodged a complaint against these petitioners and other accused persons.

3.The learned counsel for the petitioners submitted that the petitioners are innocent persons and they have not committed any offence as alleged by the prosecution. They are bonafide purchasers who purchased the properties in question from the erstwhile owners. He would further submit that A1 & A2 granted anticipatory bail by



the Sessions Court as well as by this Court. Accordingly, her prayed for anticipatory bail in favour of the petitioners.

4. The learned Government Advocate (Crl.side) appearing for the State submits that defacto complainant is a poor widow and she is fighting for her livelihood with one male and three other daughters. He would further submit that only after investigation, the police can find out whether the sale deed executed by the petitioners are genuine or not and he vehemently opposed to grant anticipatory bail to the petitioners.

5. Considering the facts and circumstances of the case and considering the said submission made by the learned Government Advocate (Crl.Side), and considering the gravity of offence committed by the petitioners, this Court is not inclined to grant anticipatory bail to the petitioner. Accordingly, this Criminal Original Petition is dismissed.

sd/-

31/10/2017

/ TRUE COPY /

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

TO

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

2 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH Court, MADURAI.

+1. CC to M/S.R.ILAYARAJA Advocate SR.No.33689

ORDER

IN

CRL OP (MD) No.14673 of 2017

Date : 31/10/2017

MV:CM:SAR1:06.11.2017/2P/4C