



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

Tuesday, the Twenty Eighth day of November Two Thousand Seventeen

PRESENT

The Hon`ble Mr.Justice M.DHANDAPANI

CRL OP(MD) No.16324 of 2017

1 MEENAKSHI
2 THENMOZHI
3 KAVITHA
4 S.THAIJUTHEN
5 C.PALPANDI
6 M.ASHA

... PETITIONERS / ACCUSED Nos.1,2,4,7,8&9

Vs

THE STATE REP.BY,
THE INSPECTOR OF POLICE
CITY CRIME BRANCH, (CCB), MADURAI,
CR NO. 79/2017.

... RESPONDENT / COMPLAINANT

For Petitioners : M/S.C.SUNDARAVADIVEL Advocate

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

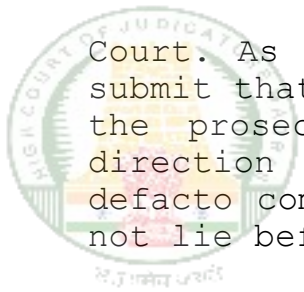
For Intervenor : MR.C.JEGANATHAN Advocate

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

ORDER : The Court Made the following order :-

The petitioners, who are arrayed as Accused No.1, 2, 4, 7, 8 and 9 apprehend arrest at the hands of the respondent police for the offences punishable under Sections 406, 420, 468, 471, and 120(B) of I.P.C., in Crime No.79 of 2017, on the file of the respondent police, seek anticipatory bail.

2.The case of the prosecution is that the defacto complainant is the husband of the first petitioner and father of the second petitioner. The first and second petitioner joined together and executed a sale deed in favour of A5 and A6. Due to which, the defacto complainant lodged a complaint before the respondent police against all the accused including his blood relations and the Sub Registrar, who is arrayed as A11. It is further stated that at the instance of the defacto complainant's of the blood relations, A11 has registered the document in question and thereby, the law enforcing agency registered the case against the petitioners.



Court. As per Stamp Act, he performed his duties. He would further submit that the petitioners did not commit any offence as alleged by the prosecution. If at all the alleges non compliance of the direction or order of the Civil Court, the remedy is open to the defacto complainant only before the competent Civil Court and it is not lie before the criminal forum.

4.The learned counsel for the intervenor submitted that the petitioners deliberately violated the order of the Civil Court no other remedy except the complaint filed before the learned Magistrate. The learned Magistrate forwarded the complaint to the law enforcing agency for investigation.

5.The learned Government Advocate (Criminal side) appearing for the State submitted that he did not dispute the facts made by the learned counsel for the petitioners.

6.Considering the facts and circumstances of the case and also considering the submission made by the learned counsel for the petitioner, 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 No.I, Madurai, 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 petitioners 4 and 5 shall report before the respondent police, daily at 10.30 a.m., for a period of four weeks, and thereafter, as and when required for interrogation;

(ii)the petitioners 1 to 3 and 6 shall report before the respondent police, as and when required for interrogation;

(iii) the petitioners shall not tamper with evidence or witness either during investigation or trial;

(iv) the petitioners shall make themselves available for interrogation including custodial interrogation as and when required by the investigation officer;

(v) the petitioners shall not abscond either during investigation or trial;

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



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(vii) On breach of any of the aforesaid conditions, the learned Magistrate/trial Court is entitled to take appropriate action against the petitioners in accordance with law and the anticipatory bail granted stands cancelled automatically.

sd/-
28/11/2017

/ 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 THROUGH THE CHIEF JUDICIAL MAGISTRATE,
MADURAI DISTRICT.
- 3 THE INSPECTOR OF POLICE,
CITY CRIME BRANCH, (CCB), MADURAI.
- 4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1. CC to M/S.C.SUNDARAVADIVEL Advocate SR.No.35389

ORDER
IN
CRL OP(MD) No.16324 of 2017
Date :28/11/2017

MKV-CM-SAR 4/14.12.2017/3P-6C