



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

Thursday, the Thirtieth day of November Two Thousand Seventeen

PRESENT

The Hon`ble Mr.Justice M.DHANDAPANI

CRL OP(MD) No.16497 of 2017

K.A.RAMAKRISHNAN

... PETITIONER / ACCUSED No.1

Vs

THE SUB INSPECTOR OF POLICE,
ALANGANALLUR POLICE STATION,
MADURAI DISTRICT.
CRIME NO.612/2017.

... RESPONDENT / COMPLAINANT

For Petitioner : Mr.S.ALAGUSUNDAR Advocate

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

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

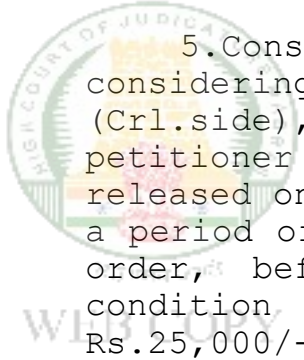
ORDER : The Court Made the following order :-

The petitioner/Accused No.1, who apprehends arrest at the hands of the respondent police for the alleged offences punishable under Sections 419, 420, 468, 471, 294(B) and 506(1) of I.P.C., in Crime No. 612 of 2017, seeks anticipatory bail.

2.The case of the prosecution is that the petitioner and the defacto complainant are brothers, the petitioner has acquired the property by way of forged documents, thereby, the defacto complainant filed a complaint before the respondent police.

3.The learned counsel for the petitioner submitted that originally disputed property owned by one Arumugam, who is the father of the petitioner and he purchased the said property on 07.04.1973. Thereafter, Arumugam, who is the father of the petitioner, executed a sale deed in favour of his grand son and he appointed the petitioner as guardian. The petitioner's son attained major, he executed a sale deed in favour of one Meenakshi. After several years, the defacto complainant filed a complaint before the respondent police. He further submitted that the petitioner is innocent person and he has not committed any offence as alleged by the prosecution.

4.The learned Government Advocate (Crl.side) appearing for the State submitted that this case filed by the defacto complainant is purely civil in nature. The remedy is available only before the civil forum. He approached the respondent police is not sustainable.



5. Considering the facts and circumstances of the case and also considering the submission made by the learned Government Advocate (Crl.side), this Court is inclined to grant anticipatory bail to the petitioner with certain conditions. The petitioner is ordered to be released on bail in the event of arrest or on his appearance, within a period of fifteen days from the date of receipt of a copy of this order, before the learned Judicial Magistrate, Vadippatti, on condition that the petitioner shall execute a bond for a sum of Rs.25,000/- (Rupees Twenty Five thousand only) with two sureties each 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 as and when required;

(ii) the petitioner shall not tamper with evidence or witness either during investigation or trial;

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

(iv) the petitioner shall not abscond either during investigation or trial;

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

sd/-
30/11/2017

/ TRUE COPY /

Sub-Assistant Registrar (C.S.)

TO

- 1 THE JUDICIAL MAGISTRATE, VADIPPATTI, MADURAI
- 2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE, MADURAI
- 3 THE SUB INSPECTOR OF POLICE,
ALANGANALLUR POLICE STATION, MADURAI DISTRICT.
- 4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI

+1. CC to MR.S.ALAGUSUNDAR Advocate SR.No.35526

JAM/06.12.17/CM-VR/ SAR 4/ 2P-6C

ORDER
IN
CRL OP(MD) No.16497 of 2017
Date : 30/11/2017