



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

Monday, the Twentieth day of March Two Thousand Seventeen

PRESENT

The Hon`ble Mrs.Justice J.NISHA BANU

CRL OP(MD) No.2612 of 2017

1 YOPU @ YOPUDASAN
2 SANTHOSHA KANI

... PETITIONERS / ACCUSED 4 & 5

Vs

The State rep.by
THE INSPECTOR OF POLICE
CHERAN MAHADEVI POLICE STATION, TIRUNELVELI DISTRICT
(CRIME NO. 37/2017) ... RESPONDENT / COMPLAINANT

For Petitioner : M/S.S.SATHYA CHIDAMBARAM Advocate

For Respondent : Mrs.S.Prabha, Govt. Advocate (Crl. Side)

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

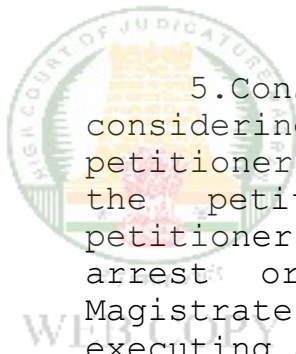
ORDER : The Court Made the following order :-

The petitioners, who are arrayed as A4 & A5, in Crime No.37 of 2017 on the file of the respondent police, apprehend arrest at the hands of the respondent police for the alleged offences punishable under Sections 420, 417, 467, 468, 471, 294(b) & 506(ii) IPC and hence, seek anticipatory bail.

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

3.The learned counsel for the petitioners submitted that it is alleged in the complaint that the petitioners /A4 and A5 cheated the defacto complainant by executing fictitious properties in the name of her husband. He would further submit that the petitioners have sold their own property to the defacto complainant's husband and as regards the sale and purchase of the property adjacent to the property of these petitioners by the husband of the defacto complainant, these petitioners have no connection whatsoever. The civil case is given criminal colour. The petitioners have been falsely implicated in this case.

4.The learned Government Advocate appearing for the State submitted that A1 has already been arrested and A2 has been granted anticipatory bail by this Court in Crl.O.P.(MD).No.2356 of 2017. The investigation is pending.



5.Considering the facts and circumstances of the case and also considering the nature of the allegations raised against the petitioners, this Court is 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 before the learned Judicial Magistrate, Cheran Mahadevi, Tirunelveli District and on each 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 as and when required for interrogation. The petitioners shall comply with the condition stipulated under Section 438 Cr.P.C. scrupulously.

6.The petitioners 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/-

20/03/2017

/ TRUE COPY /

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

TO

- 1 THE JUDICIAL MAGISTRATE, CHERAN MAHADEVI, TIRUNELVELI
- 2 -DO-THRO THE CHIEF JUDICIAL MAGISTRATE, TIRUNELVELI
- 3 THE INSPECTOR OF POLICE
CHERAN MAHADEVI POLICE STATION,
TIRUNELVELI DISTRICT
- 4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT.

+1. CC to M/S.S.SATHYA CHIDAMBARAM Advocate SR.No.15861

SM:BS:SAR2:23/03/2017:2p/6c

ORDER

IN

CRL OP(MD) No.2612 of 2017

Date :20/03/2017