



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

Friday, the Twenty Eighth day of April Two Thousand Seventeen

PRESENT

The Hon`ble Mrs.Justice J.NISHA BANU

CRL OP (MD) No.5160 of 2017

GOMATHI MUTHURANI DURAICHI

... PETITIONER/ACCUSED NO.I

Vs

STATE REP.BY,
THE INSPECTOR OF POLICE
PULIYANKUDI POLICE STATION,
TIRUNELVELI DISTRICT
CRIME NO. 370/2015

... RESPONDENT/COMPLAINANT

For Petitioner : M/S.V.RAJIV RUFUS Advocate

For Respondent : MRS.S.PRABHA, Govt. Advocate (Crl. Side)

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

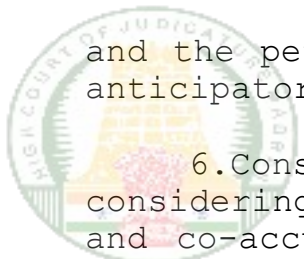
ORDER : The Court Made the following order :-

The petitioner, who is arrayed as A-1, in Crime No.370 of 2015 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), 419, 420, 465, 467, 468, 471 and 474 of I.P.C. 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 case of the prosecution is that the petitioner forged identity proof and registered a partition deed based on the said document and borrowed a sum of Rs.40 lakhs by mortgaging the title deeds of the property from Axis Bank.

4. The learned counsel for the petitioner submits that there is a civil dispute and the defacto complainant lodged a false complaint against the petitioner. He would further submit that A2 and A6 were granted anticipatory bail by this Court in Crl.O.P.(MD) Nos.1714 of 2017 and 1340 of 2017.



and the petitioner is arrayed as A1 and other accused were granted anticipatory bail by this Court.

6. Considering the facts and circumstances of the case and also considering the fact that the case was registered in the year 2015 and co-accused were granted anticipatory bail by this Court, 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, Sivagiri, Tirunelveli District 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 as and when required for interrogation. The petitioner shall comply with the condition 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/-
28/04/2017

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

TO

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

+1. CC to M/S.V. RAJIV RUFUS Advocate SR.No.21735

CM
CSL/KKR/SAR-IV/03.05.2017 : 2P/6C

ORDER
IN
CRL OP(MD) No.5160 of 2017
Date : 28/04/2017