



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

Tuesday, the First day of August Two Thousand Seventeen

PRESENT

The Hon`ble Mrs.Justice J.NISHA BANU

CRL OP(MD) No.8361 of 2017

M.S.STALIN

... PETITIONER / ACCUSED R2

Vs

STATE THROUGH
THE INSPECTOR OF POLICE
ANTI LAND GRABBING CELL,
THOOTHUKUDI, THOOTHUKUDI DISTRICT
(CRIME NO.228 OF 2017) ... RESPONDENT / COMPLAINANT

For Petitioner : Mr.J.ASHOK Advocate

For Respondent : Mr.A.RAMAR, Additional Public Prosecutor

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

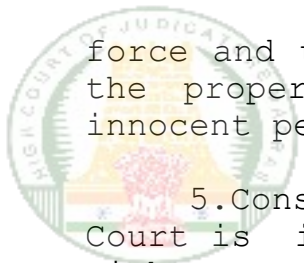
ORDER : The Court Made the following order :-

The petitioner, who is arrayed as A-2, in Crime No.228 of 2017 on the file of the respondent police, apprehends arrest at the hands of the respondent police for the alleged offences punishable under Sections 420, 467, 468 and 471 of I.P.C and hence, seeks anticipatory bail.

2.Heard the learned counsel for the petitioner and the learned Additional Public Prosecutor for the respondent/State.

3.The learned Additional Public Prosecutor on instructions submitted that the father of the defacto complainant owned the property in Survey No.1672 /2 in Meelavittan Village Part-II, Thoothukudi and after his death, the defacto complainant is in peaceful possession and enjoyment of the said property. But, his possession is being disturbed by the accused persons based on a fabricated document. He further submitted A-1 executed a Will in favour of A-2, the petitioner herein. He further submitted that in this matter, petition enquiry alone is pending.

4. However, the learned counsel for the petitioner submitted that a case has been registered in Crime No.228 of 2017 for the above said offences and he further submitted that the patta in respect of the subject property stood in the name of the aunt of the petitioner namely one Pappy Leelavathy and she executed a Will in favour of the petitioner and after her death, the Will came into



force and the petitioner is in peaceful possession and enjoyment of the property. He further submitted that the petitioner is an innocent person and he has been falsely implicated in this case.

5. Considering the facts and circumstances of the case, 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 No.I, Thoothukudi 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 once in a week i.e. on every Monday at 10.30 a.m, until further orders. The petitioner shall comply with the condition stipulated under Section 438 Cr.P.C. scrupulously.

6. 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/-
01/08/2017

/ TRUE COPY /

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

TO

- 1 THE JUDICIAL MAGISTRATE NO.I
THOOTHUKUDI
- 2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
THOOTHUKUDI
- 3 THE INSPECTOR OF POLICE
ANTI LAND GRABBING CELL, THOOTHUKUDI,
THOOTHUKUDI DISTRICT
- 4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI

+1. CC to MR.J.ASHOK Advocate SR.No.27730

JAM/04.08.17/CM-MSA/SAR 2/ 2P-6C

ORDER
IN
CRL OP(MD) No.8361 of 2017
Date :01/08/2017