



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

Friday, the Sixteenth day of March Two Thousand Eighteen

PRESENT

The Hon`ble Mr.Justice R.PONGIAPPAN

CRL OP (MD) Nos.928 and 1054 of 2018

S.MUTHURAMALINGAM

... PETITIONER / ACCUSED No.1
CRL OP (MD) No.928/18

SUDHARSAN BABU

... PETITIONER / ACCUSED No.4
CRL OP (MD) No.1054/18

Vs

THE STATE REPRESENTED BY
THE INSPECTOR OF POLICE,
DISTRICT CRIME BRANCH,
RAMANATHAPURAM.

CR.NO.1/2018,
RAMANATHAPURAM DISTRICT.

... RESPONDENT / COMPLAINANT
IN BOTH THE PETITIONS

For Petitioner : Mr.V.KATHIRVELU, Senior Counsel
CRL OP (MD) No.928/18
M/S R.GANDHI, Advocate

For Respondent : Mr.A.ROBINSON, Govt. Advocate (Crl. Side)
IN BOTH THE PETITIONS

For Intervenor : V.SASIKUMAR, Advocate
IN BOTH THE PETITIONS

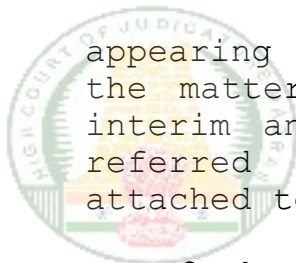
PETITION FOR ANTICIPATORY BAIL Under Sec. 438 Cr.P.C.

ORDER : The Court Made the following order :-

Reserved on : 23.02.2018
Delivered on : 16.03.2018

Common Order

The petitioner in Crl.O.P.(MD)No.928 of 2018 is the 1st Accused and the petitioner in Crl.O.P.(MD)No.1054 of 2018 is the 4th Accused, who apprehend arrest at the hands of the respondent police for the offences punishable under Sections 420, 465, 467, 468 and 120(B) IPC, in Crime No.1 of 2018, seek anticipatory bail.



appearing for the parties that the parties were willing to settle the matter before the Mediation and Conciliation Centre, granted interim anticipatory bail to the petitioners till 23.02.2018 and referred the matter to the Mediation and Conciliation Centre attached to this Bench.

3. When the matter was taken up for hearing on 23.02.2018, a report dated 21.02.2018, received from the Mediation and Conciliation Centre attached to this Bench, was placed before me. As per the report submitted by the Mediator, the dispute between the parties could not be settled. Hence, these Criminal Original Petitions are posted before this Court.

4. Heard the learned counsel appearing for the parties.

5. According to the case of the de-facto complainant, the petitioners forged the signature of other Directors in the Resolution and executed a sale deed in respect of a property owned by the Company. On the other hand, as per the case of the petitioners, only as per the Resolution, they sold the property. Now, on going through the copy of E-Mail dated 30.06.2009, forwarded by the de-facto complainant to the petitioners herein, it is seen that the de-facto complainant has given permission to the petitioners for selling 49 acres of land at the first instance. Moreover, in the E-Mail, dated 27.06.2012, the de-facto complainant forwarded the following Message to the petitioners:-

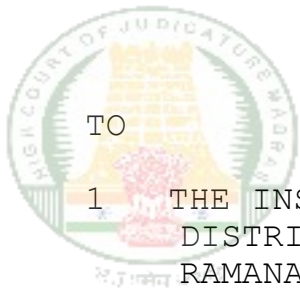
'I feel I need to explain once again that I do not doubt your integrity. In fact you have delivered on the Karaikudi deal thereby confirming my belief in you. Otherwise, I would never have sent the letter giving you authority to sell Rameswaram land.'

6. So, the documents submitted by the petitioners disclose that the petitioners are permitted by the de-facto complainant with regard to the alleged sale. Moreover, the evidences, which are all necessary for completing the investigation, are all available in the form of documents. Both sides have admitted that the petitioners are having permanent residence. Accordingly, this Court is inclined to grant anticipatory bail to the petitioners. Hence, the interim anticipatory bail granted by this Court to the petitioners, dated 30.01.2018, is made absolute.

sd/-
16/03/2018

/ TRUE COPY /

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



TO

1 THE INSPECTOR OF POLICE,
DISTRICT CRIME BRANCH, RAMANATHAPURAM.
RAMANATHAPURAM DISTRICT.

2 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI

+1. CC to M/S.K.PRABHU Advocate SR.No.4349
+1 CC TO M/S R.GANDHI , Advocate, Sr.No. 4326
+3 CC TO Mr.V.SASI KUMAR , Advocate, Sr.Nos.4290,4291,1631

SMN2

JAM/20/03/2018/ VR / SAR 1 / 3P-8C

ORDER

IN

CRL OP(MD) Nos.928 and 1054 of 2018
Date :16/03/2018