



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

Tuesday, the Fourteenth day of August Two Thousand Eighteen

WEB COPY

PRESENT

The Hon`ble Mr.Justice G.K.ILANTHIRAIYAN

CRL OP(MD) No.14479 of 2018

1 MUTHUKUTTI
2 SARAVANAN
3 SELVAM

... PETITIONERS/ACCUSED No.1 to 3

Vs

THE STATE REP.BY,
THE INSPECTOR OF POLICE,
SURANDI POLICE STATION,
TIRUNELVELI DISTRICT.
CR NO.199 OF 2018

... RESPONDENT/COMPLAINANT

For Petitioners : MR.G.THALAIMUTHARASU, Advocate

For Respondent : MR.V.NEELAKANDAN, Additional Public Prosecutor

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

ORDER : The Court Made the following order :-

The petitioners/A1 to A3 apprehend arrest at the hands of the respondent police for the offences punishable under Section 420 of I.P.C., in crime No.199 of 2018, seek anticipatory bail.

2.The case of the prosecution is that to an extent of 9 cents comprised in S.No.324/6 belongs to the defacto complainant. While so, the first petitioner, with an intention to grab the suit property, created bogus settlement deed in favour of second and third petitioners herein and register the same without any title. Hence, the complaint.

3.The learned counsel appearing for the petitioners would submit that it is completely a false case foisted against them and in fact, in respect of the same property comprised in 324/6 situated at Kulayaneri village, Tirunelveli District, a suit has already been filed by the first petitioner for declaration against the defacto complainant in O.S.No.408 of 2017 on the file of the Principal Subordinate Judge, Thenkasi and it is pending. The entire dispute is civil in nature.

4.The learned Additional Public Prosecutor would submit that the investigation is pending.



5. Considering the facts and circumstances of the case and considering the fact that entire issue is relating to civil in nature, 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, Alangulam and on each of them executing a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) each with two sureties each for a like sum to the satisfaction of the learned Magistrate concerned and on further condition that the petitioners shall appear before the respondent police as and when required for interrogation. The petitioners shall comply with the conditions 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 shall stand dismissed.

sd/-
14/08/2018

/ TRUE COPY /

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

TO

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

+1. CC to MR.G.THALAIMUTHARASU, Advocate SR.No.15605

ORDER
IN
CRL OP(MD) No.14479 of 2018
Date :14/08/2018

PK/VR/SAR-4/21.08.2018 : 2P/6C