



IN THE HIGH COURT OF JUDICATURE AT MADRAS  
( Criminal Jurisdiction )

Monday, the Thirtieth day of December Two Thousand Nineteen

WEB COPY

PRESENT

The Hon`ble Mr Justice M. NIRMAL KUMAR  
CRIMINAL ORIGINAL PETITION No.34905 of 2019

1 ANTHIRIYAS [ PETITIONERS / ACCUSED ]  
2 CHARLES  
3 MARAM SOWRI @ SOWRI

Vs

THE INSPECTOR OF POLICE [ RESPONDENT ]  
CHEYYUR POLICE STATION,  
KANCHIPURAM  
CR.NO.81/2015

For Petitioner : M/S.N.SRIDHAR Advocate

For Respondent : MR. C.RAGHAVAN, Govt. Advocate ( CrI. Side)

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

ORDER : The Court Made the following order :-

The petitioners who apprehend arrest at the hands of the respondent police for the offences punishable under **Sections 423, 424, 464, 465, 468, 420 of IPC read with 149 of IPC in Crime No.81 of 2015** on the file of the respondent police, seek anticipatory bail.

2. The case of the prosecution is that the 1<sup>st</sup> petitioner created forged settlement deed in favour of the 2<sup>nd</sup> petitioner and with the help of the said forged settlement deed, the accused persons changed the revenue records like Patta, Chitta and also sold the property to the 3<sup>rd</sup> petitioner and thereby cheated the defacto complainant. Hence, the complaint.

3. The learned counsel for the petitioners submitted that it is the case of the year 2015 and there is a civil dispute pending between the defacto complainant and the petitioners. Hence, he sought for grant of anticipatory bail to the petitioners.

4. Heard the learned Government Advocate (CrI. Side) appearing for the respondent police.

5. Considering the fact that it is the case of the year 2015 and considering the age of the 1<sup>st</sup> and 3<sup>rd</sup> petitioners i.e. 84 years and 79 years respectively, custodial interrogation of the petitioners is not necessary and this Court is inclined to grant anticipatory bail



to the petitioners subject to the following conditions;

6. Accordingly, the petitioners are ordered to be released on bail in the event of arrest or on their appearance, within a period of fifteen days from the date on which the order copy made ready, before the **learned Judicial Magistrate, Madhurantakam**, on condition that the petitioners shall execute a separate 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 respondent police or the police officer who intends to arrest or to the satisfaction of the learned Magistrate concerned, failing which, the petition for anticipatory bail shall stand dismissed and on further condition that:

[a] the petitioners and the sureties shall affix their photographs and Left Thumb Impression in the surety bond and the Magistrate may obtain a copy of their Aadhar card or Bank pass Book to ensure their identity.

**[b] the petitioners shall report before the respondent police as and when required for interrogation.**

[c] the petitioners shall not tamper with evidence or witness either during investigation or trial.

[d] the petitioners shall not abscond either during investigation or trial.

[e] On breach of any of the aforesaid conditions, the learned Magistrate / Trial Court is entitled to take appropriate action against the petitioners in accordance with law as if the conditions have been imposed and the petitioners released on bail by the learned Magistrate/Trial Court himself as laid down by the Hon'ble Supreme Court in P.K.Shaji vs. State of Kerala [(2005)AIR SCW 5560].

[f] If the accused thereafter abscond, a fresh FIR can be registered under Section 229A IPC.

-sd/-

30/12/2019

This order, on being produced, be punctually observed and carried into execution by all concerned

TRUE COPY

Sub-Assistant Registrar (Statistics/C.S.)  
High Court, Madras - 600 104.

TO

1. THE JUDICIAL MAGISTRATE,  
<https://hcservices.ecourts.gov.in/hcservices/>  
MADHURANTAKAM



2 THE CHIEF JUDICIAL MAGISTRATE  
CHENGALPATTU[FOR INFORMATION]

3 THE PUBLIC PROSECUTOR  
HIGH COURT, MADRAS.

4 THE INSPECTOR OF POLICE  
CHEYYUR POLICE STATION,  
KANCHIPURAM

+1 CC to M/S.N.SRIDHAR Advocate on payment of necessary charges  
SR.NO. 72

CRL OP.34905/2019

Date :30/12/2019

RD 06/01/2020