

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

Tuesday, the Thirtieth day of April Two Thousand Nineteen

PRESENT

The Hon`ble Mr.Justice M.DHANDAPANI

CRL OP (MD) No.6632 of 2019

S.NARAYANASAMY

... PETITIONER/ACCUSED No.1

Vs

THE STATE REPRESENTED BY,
THE INSPECTOR OF POLICE,
DCB (ALG) POLICE STATION,
TIRUNELVELI.
CRIME NO.29 OF 2018

... RESPONDENT/COMPLAINANT

For Petitioner : MR.F.X.EUGENE Advocate

For Respondent : MR.K.SUYAMBULINGA BHARATHI,
Government Advocate (Crl.Side)

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

ORDER : The Court Made the following order :-

The petitioner, who apprehends arrest at the hands of the respondent police for the alleged offences under Sections 467, 468, 471 and 506(i) of IPC in Crime No.29 of 2018 on the file of the respondent police, seeks anticipatory bail.

2.The case of the prosecution is that the defacto complainant's mother purchased the property in S.No.304/52 an extent of 28 cents and S.No.304/45 and extent of 1 acre 16 cents from the first accused. Thereafter, the first accused sold the same property to the second accused in the year 2003 and in turn the second accused settled the said property in the year 2016. All the accused jointly forged and fabricated the false documents for cheating the defacto complainant. Hence, the complaint.

3.The learned counsel appearing for the petitioner would submit that the petitioner is an innocent person and he has been falsely implicated in this case. In fact, this Court granted anticipatory bail to Accused Nos.2 and 3 in Crl.O.P.(MD).No.21841 of 2018. Hence, he prays for bail.

4.The learned Government Advocate(Crl.Side) appearing for the respondent police would submit that merely because the co-accused has been enlarged on bail, the main accused person not entitled for the grant of anticipatory bail and hence, he objected for grant of anticipatory bail to the petitioner.

5.Considering the facts and circumstances of the case and considering the fact that this is the third application filed for grant of anticipatory bail and the petitioner is the main accused, who had cheated the defacto complainant and there is no change of circumstances in the present case, this Court is not inclined to grant anticipatory bail to the petitioner.

6. Hence the Criminal Original Petition is dismissed.

sd/-
30/04/2019

/ TRUE COPY /

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

TO

1.THE INSPECTOR OF POLICE,
DCB (ALG) POLICE STATION,
TIRUNELVELI.

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

+1. CC to M/S.F.X.EUGENE Advocate SR.No.64367

ORDER
IN
CRL OP(MD) No.6632 of 2019
Date :30/04/2019

VSG
PK/JC/SAR-1/08.05.2019 : 2P/4C