



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

Monday, the Twenty Eighth day of January Two Thousand Nineteen

WEB COPY

PRESENT

The Hon`ble Mr.Justice M.NIRMAL KUMAR

CRL OP(MD) No.20359 of 2018

1 V.R.MEENAKSHI

2 BABU VEERAPPAN @ BABU

3 M.RAJAMOHAMED

... PETITIONERS / ACCUSED NO.1 TO 3

Vs

STATE REP. BY

THE INSPECTOR OF POLICE,
KARUPPAYOORANI POLICE STATION,
MADURAI DISTRICT.

CRIME NO.256/2016

... RESPONDENT / COMPLAINANT

For Petitioner : MR.P.SENGUTTUARASAN Advocate

For Respondent : MR.S.CHANDRASEKAR, Additional Public Prosecutor

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

ORDER : The Court Made the following order :-

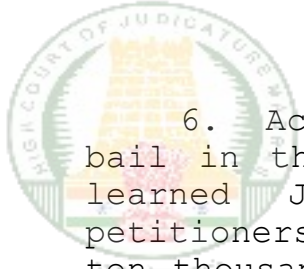
The petitioners, who apprehends arrest at the hands of the respondent police for the alleged offences punishable under Sections 406 and 420 of IPC in Cr.No.256 of 2016 seek anticipatory bail.

2. The case of the prosecution is that the accused persons have created forged documents and sold the properties to the defacto complainant.

3. The learned counsel for the petitioners would submit that the petitioners are innocent and they have not committed any offence as alleged by the prosecution.

4. The learned Government Advocate(Crl.Side) would submit that due to civil dispute the case has been registered. He would also submit that investigation is pending.

5. Taking into consideration the facts of the case and the submissions by learned counsels, this Court inclined to grant anticipatory bail to the petitioners.



6. Accordingly, the petitioners are ordered to be released on bail in the event of arrest or on their appearance, before the learned Judicial Magistrate No.II, Madurai on condition that the petitioners shall execute 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 said Magistrate, on further condition that:

[a] if the petitioners fail to surrender before the said Magistrate within a period of fifteen days, this Order shall stand automatically cancelled.

[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 229-A IPC.

sd/-

28/01/2019

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

TO

- 1 THE JUDICIAL MAGISTRATE NO.II,
MADURAI.
- 2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
MADURAI.
- 3 THE INSPECTOR OF POLICE,
KARUPPAYOORANI POLICE STATION,
MADURAI DISTRICT.
- 4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1. CC to M/S.P.SENGUTTUARASAN Advocate SR.No. 1760

ORDER

IN

CRL OP(MD) No.20359 of 2018

Date :28/01/2019