



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

Monday, the Eleventh day of February Two Thousand Nineteen

PRESENT

The Hon`ble Mr.Justice M.DHANDAPANI

CRL OP(MD) Nos.22248, 22981, 22547 & 22534 of 2018

1 VANAKKA MARY

2 ARUN VIGNESKUMAR @ VIGNESKUMAR ... PETITIONERS / ACCUSED 1 & 2
IN CRL OP (MD) No.22248/2018

MANI

... PETITIONER/ 5th ACCUSED
IN CRL OP (MD) NO.22981 OF 2018

1 SUBRAMANIAN

2 VIJYAN

... PETITIONERS/ ACCUSED NO.3 & 4
IN CRL OP (MD) NO.22547/2018

CHIDAMBARAM

... PETITIONER/ 7th ACCUSED
IN CRL OP (MD) No.22534/2018

Vs

STATE REP.BY
THE INSPECTOR OF POLICE,
DISTRICT CRIME BRANCH,
RAMNAD DISTRICT.
Crime NO.14/2018

... RESPONDENT / COMPLAINANT
IN ALL THE PETITIONS

For Petitioners: Mr.D.VENKATESH, Advocate
IN CRL OP (MD) No.22248/2018

: Mr.A.MOHAMED HANEEF, Advocate
IN CRL OP (MD) NO.22981 OF 2018

: Mr.T.LENIN KUMAR, Advocate
IN CRL OP (MD) NO.22547/2018

: Mr.C.SUSI KUMAR, Advocate
IN CRL OP (MD) No.22534/2018

For Respondent : Mr.K.SUYAMBULINGA BHARATHI,
Government Advocate (Crl.Side)
in all the petitions



ORDER : The Court Made the following order :-

The petitioners who are apprehending arrest at the hands of the respondent police for the alleged offence under Sections 419, 465, 468, 471, 420 & 120-B IPC in Cr.No.14 of 2018, on the file of the respondent police, seek anticipatory bail. Since case has been registered in the same crime number, it is convenient to pronounce the common order as follows:

2.It is the case of the prosecution that the defacto complainant is the owner of the property. A1 and A2 have impersonated as the owner of the property and executed a registered power deed in favour of A5, who is in turn, executed a registered sale deed in favour of A6.

3.The learned counsel appearing for A1 and A2 would submit that the alleged power of attorney, which was executed in favour of A5, was cancelled and the learned counsel for A5 confirms the cancellation and the property was handed over to the defacto complainant by way of settlement deed.

4.The learned Government Advocate(Crl.side) appearing for the respondent police would submit that investigation is pending.

5.Considering the facts and circumstances and considering the fact that the power of attorney, which is in dispute, was cancelled, this Court is inclined to grant anticipatory bail to the petitioners. 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 of receipt of a copy of this order, before the concerned Magistrate Court, 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 respondent police or the police officer who intends to arrest or to the satisfaction of the learned Magistrate concerned 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 daily at 10.30 p.m., until further orders;

(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]**; and;

(f) if the accused thereafter absconds, a fresh FIR can be registered under Section 229-A IPC.

sd/-
11/02/2019

/ TRUE COPY /

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

TO

1. THE JUDICIAL MAGISTRATE,
THIRUVADANAI.
2. THE JUDICIAL MAGISTRATE NO.II,
RAMANATHAPURAM.
3. DO THRO' THE CHIEF JUDICIAL MAGISTRATE,
RAMANATHAPURAM DISTRICT.
4. THE INSPECTOR OF POLICE
DISTRICT CRIME BRANCH,
RAMANATHAPURAM DISTRICT
5. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.

- +1. CC to MR.D.VENKATESH Advocate SR.No.2820
- +1. CC to Mr.A.MOHAMED HANEEF Advocate SR.No.2821
- +1. CC to Mr.T.LENIN KUMAR Advocate SR.No.2819
- +1. CC to Mr.C.SUSI KUMAR Advocate SR.No.2818

ORDER
IN

CRL OP(MD) Nos.22248, 22981, 22547
& 22534 of 2018

Date : 11/02/2019