



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

Monday, the Fourth day of February Two Thousand Nineteen

PRESENT

The Hon`ble Mr.Justice M.DHANDAPANI

CRL OP (MD) No.20961 of 2018

S. MADASAMY

... PETITIONER / ACCUSED

Vs

THE STATE REP.BY
THE INSPECTOR OF POLICE,
DISTRICT CRIME BRANCH,
NAGERCOIL,
KANYAKUMARI DISTRICT.
(IN CRIME NO. 06 OF 2011)

... RESPONDENT / COMPLAINANT

For Petitioner : MR.M.GANESHKAMU Advocate

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

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

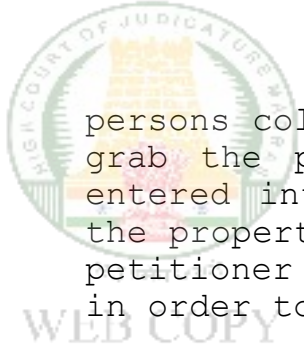
ORDER : The Court Made the following order :-

The petitioner, who apprehends arrest at the hands of the respondent police for the alleged offence under Sections 465, 468, 471 and 420 of IPC in Crime No.06 of 2011 on the file of the respondent police, seeks anticipatory bail.

2.The case of the prosecution is that the de facto complainant is the owner of the property. Without his knowledge A-1 and A-2 being the husband and wife created a fake documents. Thereafter, A-2 entered into a sale agreement with different persons including the petitioner / A3, for which the de facto complainant filed a complaint before the respondent police.

3.The learned counsel appearing for the petitioner would submit that initially A-2 entered into a sale agreement with A-3. Subsequently, the said sale agreement was cancelled. He would further submit that he is innocent and he is nothing to do with the alleged offence.

4.The Additional Public Prosecutor would submit that though the de facto complainant is the owner of the property, the accused



persons colluded each other and created a fake documents in order to grab the property from the de facto complainant. A-3 initially entered into a sale agreement with A-2. Thereafter, A-2 conveyed the property in favour of A-5 in which A-6 signed as a witness. The petitioner and other accused persons were created several documents in order to grab the property from the de facto complainant.

5. Since the encumbrance documents were not cleared by the petitioner for which the de facto complainant suffered a loss and multiple documents were created allegedly in order to grab the property, this Court is not inclined to grant anticipatory bail to the petitioner.

6. Accordingly, this Criminal Original Petition is dismissed.

sd/-
04/02/2019

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

TO

1 THE INSPECTOR OF POLICE,
DISTRICT CRIME BRANCH,
NAGERCOIL, KANYAKUMARI DISTRICT.

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

+1. CC to Mr.M.GANESHKAMU Advocate SR.No.2496

ORDER
IN
CRL OP(MD) No.20961 of 2018
Date :04/02/2019

AE/PN/SAR2/11.02.2019/2P/4C