



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

Date : 03/09/2019

WEB COPY

PRESENT

The Hon`ble Mr.Justice G.R.SWAMINATHAN

CRL OP (MD) . No.10087 of 2019

and

Cr1 MP (MD) No.6907 of 2019

1.Karthikeyan
2.Murugesan

...Petitioners/Accused
Rank not known

Vs.

The Inspector of Police,
District Crime Branch,
Pudukottai District.
Pudukottai.
Crime No. of 2019.

...Respondent/Complainant

For Petitioner : M/s.T.Vadivelan,
Advocate.

For Respondent : Mr.A.Robinson,
Government Advocate (Cr1.Side)

For Intervenor : Mr.V.Panneer Selvam, Advocate

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

PRAYER :-For Anticipatory Bail in Crime No. of 2019 on the file of the Respondent Police.

ORDER : The Court Made the following order :-

Heard the learned counsel for the petitioners and the learned Government Advocate (crl.side) for the respondent police and the learned counsel for the intervenor also.

2.The defacto complainant had purchased a property from both these petitioners. The property in question is said to belong to one Subbaiah Dhamodharan. The said Subbaiah Dhamodharan is said to be no more. His wife is one Gnanajothi. Their children had settled abroad. The property belonging to Subbaiah Dhamodharan has been sold by creating fabricated and forged death certificate and legal heir certificates. The defacto complainant in this case is a purchaser. He was also named as the fifth accused in the complaint



lodged by Gnanajothi. The petitioners herein were arrested and were granted bail after they were in custody for about 74 days.

3.Now, the fifth accused in the case registered at the instance of Gnanajothi is the defacto complainant in the present case. The defacto complainant parted with a sum of Rs.30.00 lakhs to the petitioners herein. This Court wanted to know if the petitioners are willing to purchase peace by returning the sale consideration to the defacto complainant. But, there is no response from the petitioner's counsel. It is not as if on the same set of facts, the petitioners herein are vexed twice. In fact, the petitioners have prima facie caused loss not only to Gnanajothi but also to the defacto complainant herein. They stand on a separate footing. Since huge sum of money has been parted with by the defacto complainant to the petitioners, I am of the view that the petitioners are not entitled to the relief of anticipatory bail.

4.This criminal original petition stands dismissed.

sd/-
03/09/2019

/ TRUE COPY /

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

TO

1.THE INSPECTOR OF POLICE
DISTRICT CRIME BRANCH,
PUDUKOTTAI DISTRICT.

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

+1. CC to M/S.T.VADIVELAN, Advocate SR.No.14744
+1. CC to M/S.V.PANNEERSELVAM, Advocate SR.No.14756

ORDER
IN
CRL OP (MD) No.10087 of 2019
Date :03/09/2019

SKM
PK/VR/SAR-2/10.09.2019 : 2P/5C