



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

Date : 03/09/2019

PRESENT

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

CRL OP(MD). No.11122 of 2019

WEB COPY

1. Sulthan Alavudeen
2. Abudhul Vahidh
3. Seeni Mohammed
4. Thangal Mohammed
5. Chandran

... Petitioners/Accused Nos. 1 to 5

Vs

State Represented by,
The Inspector of Police,
Emaneswaram Police Station,
Ramanathapuram District.
(Crime No.149/2019)

... Respondent/Complainant

For Petitioners : M/s.S.Ragaventhre, Advocate.

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

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

PRAYER :-

for Anticipatory bail in Crime No.149 of 2019 on the file of the Respondent Police.

ORDER : The Court Made the following order :-

The petitioners apprehending arrest at the hands of the respondent police for the offences punishable under Sections 420, 465, 471, 468 and 379 of I.P.C., in Crime No.149 of 2019, seek anticipatory bail.

2.Heard the learned counsel for the petitioners and the learned Government Advocate (Criminal side).

3.The case of the de-facto complainant is that taking advantage of the similarity in the name of the father, A2 to A4 herein have executed a power of attorney in favour of the 5th petitioner.

4.The learned counsel appearing for the petitioners would submit that their stand is that the property in question belongs to A2 to A4 and that it devolved on them ancestrally.



5.It is also seen that A1 to A4 are having physical disabilities. Record to that effect is also enclosed in the typed set of papers. The transactions are of the year 2017 and the case against the petitioners rests on documentary evidence. Therefore, arresting the petitioners will not serve any purpose.

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6.Taking note of the facts and circumstances, this Court is inclined to grant anticipatory bail to the petitioners with certain conditions. Accordingly, the petitioners are ordered to be released on bail in the event of arrest or on their appearance before the learned Judicial Magistrate, Paramakudi and on their executing a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) each with two sureties for a like sum to the satisfaction of the learned Magistrate concerned and on further condition that the petitioners shall appear before the respondent police as and when required for interrogation. The petitioners shall comply with the conditions stipulated under Section 438 Cr.P.C. scrupulously.

7.The petitioners shall appear before the concerned Magistrate within a period of 15 days from the date on which the order copy made ready, failing which, the petition for anticipatory bail shall stand dismissed.

sd/-
03/09/2019

/ TRUE COPY /

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

TO

1 THE JUDICIAL MAGISTRATE,PARAMAKUDI

2 -DO-THROUGH : THE CHIEF JUDICIAL MAGISTRATE,
RAMANATHAPURAM DISTRICT.

3 THE INSPECTOR OF POLICE
EMANESWARAM POLICE STATION, RAMANATHAPURAM DISTRICT

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

+1 CC to M/s.S.RAGAVENTHRE, Advocate(SR-14680[I] dated 04/09/2019)

ORDER IN
CRL OP(MD) No.11122 of 2019
Date :03/09/2019

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