



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 07/10/2020

PRESENT

The Hon`ble Mr.Justice G.K.ILANTHIRAIYAN

CRL OP(MD) . No.6150 of 2020

1.Pappathi Ammal
2.Sekar
3.Sasikumar
4. Venkatesh
5. Baskaran

... Petitioners/Accused Nos.1 to 5

Vs

1.The State rep.by,
The Inspector of Police,
District Crime Branch,
Theni District.
In Crime No. 05 of 2020

... Respondent/Complainant

2.Parthiban

... Respondent/Defacto Complainant

For Petitioner : Mr. S.Balakarthick,
Advocate.

For R1 : Mr.K.Suyambulinga Bharathi,
Government Advocate (Crl.Side)

For R2 : Mr.P.V.Parthiban,
Advocate.

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

PRAYER :-

To enlarge the petitioners on the bail in event of their arrest by Respondent police or their appearance before the learned Judicial Magistrate concerned pending investigation in Cr.No.05 of 2020 on the file of the respondent police.

ORDER : The Court made the following order :-

The petitioners, who apprehend arrest at the hands of the respondent police for the offences punishable under Sections 465,

<https://hcservices.ecourts.gov.in/hcservices/>



468, 471, 472, 420 and 120 (B) of IPC, in Crime No.5 of 2020, seeks anticipatory bail.

2. The case of the prosecution is that the 1st petitioner illegally executed a sale deed in favour of the 2nd petitioner by forging the patta of the defacto complainant's land before the 6th accused, for which the accused Nos.3 & 4 herein stood as witness. Hence, the complaint.

3. The learned counsel appearing for the petitioners would submit that the petitioners are innocent persons and they have been falsely implicated in this case. He further submitted that even though the petitioners herein also moved anticipatory bail in Crl.OP (MD)Nos.5300 & 5302 of 2020, this Court has dismissed the petitions insofar as the petitioners herein are concerned. Hence, he prayed to anticipatory bail to the petitioners.

4. The learned Government Advocate (Crl.Side) would submit that the 1st petitioner illegally executed a sale deed in favour of the 2nd petitioner by forging the patta of the defacto complainant's land before the 6th accused, for which the accused Nos.3 & 4 herein stood as witness. Hence, he is strongly opposed to grant anticipatory bail to the petitioner.

5. This Court is of the considered view that the previous anticipatory bail petition filed by the petitioners herein in Crl.OP (MD)Nos.5300 & 5302 of 2020, was dismissed insofar as the petitioners herein is concerned on 18.05.2020. After dismissal of the said petition, the petitioners have not shown any change of circumstances. Taking into consideration of the allegations made against the petitioners, this Court is not inclined to grant anticipatory bail to the petitioners.

6. Accordingly, this Criminal Original Petition is dismissed.

sd/-
07/10/2020

/ TRUE COPY /

/ /2020
Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

Note : In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant concerned.



TO

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

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

ORDER

IN

CRL OP(MD) No.6150 of 2020

Date :07/10/2020

dss

AE/JC/SAR-IV (15.10.2020) 3P 3C