



WEB COPY

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

Date : 20/01/2020

PRESENT

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

CRL OP(MD) . No.18498 of 2019

1. Ravi,
2. Latha,

... Petitioners/Accused 1 & 2

Vs

State rep.by its
The Inspector of Police,
District Crime Branch,
Pudukkottai District,
Pudukkottai,
Crime No.37/2017.

... Respondent/Complainant

For Petitioners : M/s. A.V. Rajasekaran,
Advocate.

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

For Intervenor : Mr.C.Nagamuthu

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

PRAYER :-

For Anticipatory Bail in Crime No.37/2017 on the Respondent Police.

ORDER : The Court made the following order :-

Heard the learned counsel on either side including the intervenor's counsel.

2. The petitioners apprehending arrest at the hands of the respondent police for the offences punishable under sections 120(b), 467, 468, 471 of I.P.C., in Crime No.37 of 2017 on the file of the respondent police, seek anticipatory bail.



3. The case of the defacto complainant Chella Pandi is that the property in question belongs to Alagiri. According to him, the father of the second petitioner Latha is also one Alagiri. But the said Alagiri is somebody else. Taking advantage of the similarity of names, documents were executed in favour of the second petitioner Latha by her father and her husband Ravi in the form of a settlement deed dated 05.08.2008. Based on which, sale deed was executed on 20.08.2009 in favour of the third accused-Alagirisamy.

4. It is seen that Alagirisamy has filed O.S.No.223 of 2017 on the file of the Sub Judge, Pudukkottai seeking the relief of injunction. The defacto complainant Chellapandi is figuring as defendant therein. The plaint was filed in June 2017. FIR in question came to be registered in December 2017. The case against the petitioners rests on documentary evidence. Their arrest is not going to serve any purpose.

5. In view of the above, I am 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, Alangudi, and on their executing 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 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.

6. 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/-
20/01/2020

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/ /2020

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

TO

1. THE JUDICIAL MAGISTRATE, ALANGUDI.
2. DO THRO' THE CHIEF JUDICIAL MAGISTRATE,
PUDUKKOTTAI DISTRICT.



3. THE INSPECTOR OF POLICE,
DISTRICT CRIME BRANCH,
PUDUKKOTTAI DISTRICT,
PUDUKKOTTAI,

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

+1 CC to M/s.A.V.RAJASEKARAN, Advocate (SR-929[I] dated
20/01/2020)

+1 CC to M/s.C.NAGAMUTHU, Advocate (SR-1040[I] dated 21/01/2020)

ORDER

IN

CRL OP(MD) No.18498 of 2019

Date :20/01/2020

rmi

AE/JC/SAR-I (22.01.2020) 3P 7C