



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

Date : 08/09/2021

PRESENT

The Hon`ble Mr.Justice B.PUGALENDHI
CRL OP (MD) . No.3677 of 2021

WEB COPY

1. Kala,

2. Karthick,

... Petitioners/Accused

Vs

State Rep. by
The Inspector of Police,
Sankarankovil Town Police Station,
Tirunelveli District.
Cr.No. 25 of 2021.

... Respondent/Complainant

For Petitioners : M/s.Selvan T,
Advocate.
For Respondent : Mr.T.Senthilkumar,
Government Advocate (Crl.Side)

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

PRAYER :-

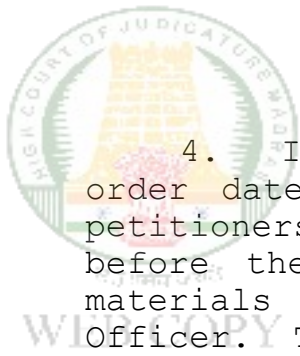
For Anticipatory Bail in Crime No.25 of 2021 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioners/A1 and A2, who apprehend arrest at the hands of the respondent Police, for the offence punishable under Sections 465, 467, 468, 471 and 420 of IPC, in Crime No.25 of 2021, on the file of the respondent Police, seek anticipatory bail.

2. The case of the prosecution is that a property situated in T.S.Nos.2/1 and 2/2, Ward B, Block-5 at Gomathy Nagar Colony, Sankarankovil, belongs to the defacto complaint's Society and one Kutralingam Asari's son and wife, namely, Arumugam and Parvathyammal jointly. The petitioners/A1 and A2, who are mother and son, created bogus forged pattas and with that forged pattas, she executed sale deed in favour of his son. Hence, the complaint.

3. The learned counsel for the petitioners submits that the petitioners are innocents and they have not committed any offence as alleged by the prosecution. He further submits that the pattas are not forged one. The first petitioner had executed sale deed in the name of the respondent Police in Nos.206 and 112. Therefore, they are genuine documents issued by the Revenue Authorities and the petitioners are ready to establish the same before the Investigation Officer.



4. In view of the above said submissions, this Court, vide order dated 17.08.2021, granted interim anticipatory bail to the petitioners for a period of two weeks, enabling them to appear before the respondent Police for enquiry and to place all the materials in their favour before the concerned Investigation Officer. The respondent Police was also directed to file a report.

5. Today, when the matter came up for hearing, the learned Government Advocate (Crl. Side) appearing for the respondent Police submitted the enquiry report.

6. This Court also perused the enquiry report submitted by the respondent Police.

7. A perusal of the enquiry report reveals that the properties in dispute belong to defacto complainant's sangam and one Kutralingam Asari's son and wife, namely, Arumugam and Parvathyammal and there is a joint patta in their names. The patta produced by the petitioners is a bogus one.

8. Considering the nature of allegations levelled against the petitioner, this is not a fit case for grant of anticipatory bail to the petitioners and it requires for custodial interrogation of the petitioners to find out as to how the patta has been prepared in favour of the first petitioner, who are all the persons involved in preparing this bogus patta in favour of the first petitioner.

9. Accordingly, the Criminal Original Petition is dismissed.

sd/-
08/09/2021

/ TRUE COPY /

/ /2021
Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

OGY

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

<https://hcservices.courts.gov.in/hcservices>
1. THE INSPECTOR OF POLICE,
SANKARANKOVIL TOWN POLICE STATION,
TIRUNELVELI DISTRICT.



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

WEB COPY

ORDER IN
CRL OP (MD) No.3677 of 2021
Date :08/09/2021

SB/JC/SAR-III/06.10.2021/3P/3C