



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

Date : 22/10/2021

PRESENT

The Hon`ble Mr.Justice B.PUGALENDHI
CRL OP(MD). No.14570 of 2021

WEB COPY

Gunasekaran,

... Petitioner/Accused

Vs

The State Rep. By
The Inspector of Police,
District Crime Branch,
Ramanathapuram.
(Crime No. 33/2021).

... Respondent/Complainant

For Petitioner : M/s. Vairam Santhosh.G.V.,
Advocate.

For Respondent : Mr.R.Meenakshi Sundaram,
Additional Public Prosecutor

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

PRAYER :-

For Anticipatory Bail in Crime No. 33 of 2021 on the file of the respondent Police.

ORDER : The Court made the following order :-

The petitioner/Accused, who apprehends arrest at the hands of the respondent police for the alleged offences punishable under Sections 419, 465, 466, 471, 420 and 120(b) of IPC, in Crime No.33 of 2021, on the file of the respondent police, seeks anticipatory bail.

2.The case of the prosecution is that the defacto complainant's mother namely, Shanmugavalli is a original owner of the disputed property in Survey No.78/28 and she died on 19.09.2018. The computerized patta was also in her name. A1, A2 and A3 impersonated A4 as the defacto complainant's mother for executing the forged sale deed. Hence, the Complaint.

3.The learned counsel for the petitioner submitted that the petitioner herein is a document writer and on 01.03.2021, accused Nos.2 to 4 approached the petitioner to execute one power deed, by which the accused Nos.2 to 4 is a daughter of A4. On that basis, the power deed was executed between the fourth accused and the third accused and the same was attested by the petitioner. He would further submit



that the petitioner is not having any intention to commit offence.

4.The learned Additional Public Prosecutor submitted that the investigation is yet to be completed.

5.Considering the submission made by the learned counsel for the petitioner, this Court, by an earlier order dated 29.09.2021, granted interim anticipatory bail to the petitioner enabling him to appear before the respondent police for a period of two weeks and co-operate for the enquiry and also directed the respondent police to file a report before this Court on the next hearing. Accordingly, the petitioner appeared before the respondent police and the respondent police has also collected the statement from the petitioner and filed the report before this Court.

6.It appears that the petitioner is not only a document writer, but he is also an Advocate. Hence, considering the conduct of the petitioner and the nature of allegation levelled against the petitioner, this Court is not inclined to grant anticipatory bail to the petitioner. Accordingly, this petition is dismissed.

sd/-
22/10/2021

/ TRUE COPY /

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

CP

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

ORDER
IN
CRL OP(MD) No.14570 of 2021
Date :22/10/2021