



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)
Date : 01/12/2021
PRESENT

The Hon`ble Mr.Justice K.MURALI SHANKAR

CRL OP(MD). No.17317 of 2021

1. Amutha
2. Sathis Kumar ... Petitioners/Accused Nos.1 & 2

Vs

The State rep.by,
The Inspector of Police,
City Crime Branch, Trichy City.
(Crime No.23/2021) ... Respondent/Complainant

R.VARALAKSHMI ... Petitioner / Intervenor/ Respondent /
Defacto Complainant

For Petitioners : MR.B.Jameel Arasu,
Advocate.

For Respondent : Mr.Rms.Sethuraman,
Additional Public Prosecutor

For Intervenor : Mr.SM.Deenadhayalan, Advocate.

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

PRAYER :-For Anticipatory Bail in Crime No.23 of 2021 on the file of the respondent Police.

ORDER : The Court made the following order :-

The petitioners/Accused, who apprehend arrest at the hands of the respondent police for the offences punishable under Sections 417, 420, 468 and 471 IPC, in Crime No.23 of 2021, on the file of the respondent police, seek anticipatory bail.

2.The Defacto complainant, who is the wife of one Radhakrishnan, has alleged that the petitioners claiming to be the wife and son of the said Radhakrishnan have approached and applied the Revenue Authorities, where the said Radhakrishnan was working earlier, seeking service benefits pension and other claims due to the deceased Radhakrishnan and since a counter claim was raised, the Revenue Authorities has directed the defacto complainant to produce the succession certificate to establish that she is the legally wedded wife of the deceased.

3.The learned Additional Public Prosecutor has submitted a copy of the report submitted by the Tiruchirappalli Corporation and whereunder,



they have informed that on verification of the birth certificate of second petitioner alleged to have been produced by the second petitioner, it was found that there were no such entries in the birth and death register maintained by the Corporation and no such certificate was issued by the Trichirappalli Corporation.

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4.The petitioner has produced some documents to show that the first petitioner is the second wife and the second petitioner is the son of deceased Radhakrishnan. But he would admit that there was no valid and legal divorce between the deceased and the defacto complainant.

5.The learned Counsel for the intervenor would submit that the petitioner already got married to one Ganesan and had four children and that the said Ganesan, had died in the year 1999. He would further submit that thereafter, the petitioners by creating records as if they are the legal heirs of the deceased Radhakrishnan, have been making false claim.

6.Considering the seriousness and gravity of the offence alleged against the petitioner and also the fact that the birth certificate produced by the second petitioner was found to be false and no such entries were made in the register maintained by the Corporation and that the investigation is pending as stated by the learned Additional Public Prosecutor, this Court is not inclined to grant anticipatory bail to the petitioners.

7.In the result, this Criminal Original Petition is dismissed.

sd/-

01/12/2021

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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
CITY CRIME BRANCH, TRICHY CITY.
- 2 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.
- +2. CC to Mr.SM.Deenadhayalan, Advocate. SR.No.8695.

ORDER IN

CRL OP(MD) No.17317 of 2021

Date :01/12/2021