



IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Thursday, the Nineteenth day of May Two Thousand Twenty Two

PRESENT

The Hon`ble Mr Justice G.K. ILANTHIRAIYAN

CRIMINAL ORIGINAL PETITION No.11544 of 2022

1 A.SUBRAMANIAN
2 N.MUTHU

[PETITIONERS/ ACCUSED]

Vs

STATE REP BY
THE INSPECTOR OF CCB-1,
CHENNAI-CCB,
(CRIME NO.16/2022)

[RESPONDENT]

For Petitioner : M/S.P.PARAMASIVA DOSS Advocate

For Respondent : MR.A.DAMODARAN, Additional Public Prosecutor

For Intervener : MR.S.LIEVTENANT COLONEL GANESAN, Advocate

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

ORDER : The Court Made the following order :-

The petitioners, who apprehend arrest at the hands of the respondent police for the alleged offences under Sections 406, 420 and 120(B) IPC, in Crime No.16 of 2022 on the file of the respondent police, seek anticipatory bail.

2. The case of the prosecution is that the defacto complainant namely T.Gandhimathi and her husband purchased the vacant land in S.No.216/1 at Plot No.22, Sairam Avenue, Valasaravakkam, Chennai from the 1st petitioner/A1, who is the Power Agent of A2, on 23.01.2013 through vide document No.356/2013 at SRO Virgumbakkam on 28.05.2019. Thereafter, when the defacto complainant visited the said land, to her shock and surprise, some third party has put up construction in the said land. After enquiry, she came to know that the land belongs to R.Nageswari and others. In the year 2015, R.Nageswari and R.Arunkumar had filed a civil suit before the Sub Court, Poonamalle against A1 to A3 and the defaco complainant. Further, it is alleged that A1 to A3 have forged the signature of the defacto complainant



and signed in the vakalath and helped to obtain exparte decree R.Nageswari and others came to possession of the said property and started the construction. Hence the complaint.

3.The learned counsel for the petitioners would submit that the petitioners are innocent persons and they have not committed any offence as alleged by the prosecution. He would further submit that a false case has been foisted as against the petitioners and hence he prays to grant anticipatory bail to the petitioners.

4.The learned Additional Public Prosecutor would strongly oppose to grant anticipatory bail to the petitioners stating that the investigation is yet to be completed.

5. Considering the facts and circumstances of the case that the petitioners have committed very heinous offence, this Court is not inclined to grant anticipatory bail to the petitioners. When this Court about to dismiss the petition, the learned counsel appearing for the petitioners seeks permission of this Court to withdraw the petition and also he made an endorsement to that effect.

6. In view of the submission and endorsement made by the learned counsel for the petitioners, this petition is dismissed as withdrawn.

-sd/-

19/05/2022

This order, on being produced, be punctually observed and carried into execution by all concerned

TRUE COPY

Sub-Assistant Registrar (Statistics/C.S.)
High Court, Madras - 600 104.

TO

1 THE INSPECTOR OF CCB-1,
CHENNAI-CCB.

2 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

CC to M/S.P.PARAMASIVA DOSS Advocate on payment of necessary charges

CRL OP.11544/2022

Date :19/05/2022

CSK 25/05/2022