



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Dated: 09/02/2022

PRESENT

The Hon'ble Mr.Justice G.ILANGO VAN

Cr1.OP(MD)No.522 of 2022

1.Tamilselvi
2.Indra
3.Ashokan
4.Kumar
5.Vethanathan
6.Kalamani

... Petitioners/Accused No.1 to 6

Vs.

State rep. By
The Inspector of Police,
District Crime Branch,
Madurai District.
Madurai City.
(Crime No.33 of 2021)

... Respondent/Complainants

For Petitioners : M/s.N.Kumar, Advocate

For Respondent : M/s.RMS.Sethuraman
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 petitioners, who are arrayed as A1 to A6 apprehending arrest at the hands of the respondent police for the alleged offences under sections 120(B), 420, 465, 468, 471 IPC, in Crime No.33 of 2021 seek anticipatory bail.

2.The case of the prosecution is that the property in Survey No.85/4G measuring about 0.01.45.0 Ares belongs to the father-in-law of the de-facto complainant namely Ponnaiah. After the death of the



above said Ponnaiah, his son namely Krishnan came into possession. Patta was also granted in his name. After the death of the above said Krishnan, the de-facto complainant is in possession and enjoyment. The legal-heirs of Late Krishnan manipulated the revenue records as if the propriety belongs to their father namely Krishnan. They have also created a forged patta. On the basis of the above said forged patta, the property was sold to Kalamani, who is the daughter-in-law of the above said Krishnan, on 30/04/2021. Subsequent to the above said document, now the patta was also transferred. So according to the de-facto complainant, the property belongs to him ancestrally. On the basis of the complaint given by the de-facto complainant, now the case has been registered.

3. Heard both sides.

4. During the course of argument, the learned counsel appearing for the petitioners would submit that the cancellation of the document has also been executed, on 11/01/2022 on the ground that there is some sort of defect in the revenue records. On that ground, the anticipatory bail application has been moved.

5. Considering the fact that the petitioners have executed the cancellation deed realising their mistake and executed the cancellation deed subjecting the petitioners to the custodial interrogation is not required.

6. In view of the above facts, this Court is 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 No.I, Madurai and on each of them executing a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) 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 once in 15 days at 10.00 a.m. until further orders. The petitioners shall comply with the condition stipulated under Section 438 Cr.P.C. scrupulously. 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 will stand dismissed.

Sd/-
09/02/2022

/ TRUE COPY /

/ /2022
Sub-Assistant Registrar (C.S.I)
Madurai Bench of Madras High Court,
Madurai - 625 023.



1. THE JUDICIAL MAGISTRATE NO.I,
MADURAI.
2. -DO- THROUGH
THE CHIEF JUDICIAL MAGISTRATE,
MADURAI.
3. THE INSPECTOR OF POLICE,
DISTRICT CRIME BRANCH,
MADURAI DISTRICT,
MADURAI CITY.
4. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.

ORDER
IN
CRL OP (MD) No.522 of 2022
Date :09/02/2022

SP/JM/SAR I/15/02/2022/3P/5C