



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

Date : 18.04.2022

PRESENT

The Hon`ble Mr.Justice K.MURALI SHANKAR

WEB COPY

CRL OP(MD) . No.3705 of 2022

1. Rajeshwari
2. Ramasamy

... Petitioners/Accused Nos.2&3

Vs

The State represented by
The Inspector of Police,
District Crime Branch,
Thoothukudi, Thoothukudi District.
(Crime No.04 of 2022)

...Respondent/Complainant

Athinarayanan

... Intervene Petitioner/
Proposed Respondent No.2
in Crl.MP(MD).3194/2022 in
Crl.OP(MD).3705/2022

For Petitioners: Mr.M.SOLAICHAMY, Advocate
for M/s.MATHURAM LAW ASSOCIATES,

For Respondent : Mr.M.MUTHUMANIKKAM,
Counsel for Government of Tamil Nadu(Crl.side).

For Intervenor : Mr.S.M.MOHAN GANDHI,
Advocate.

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

PRAYER :- For Anticipatory Bail in Crime No.04 of 2022 on the file of the Respondent police.

ORDER : The Court made the following order :-

The petitioners/A.1 & A.2, who apprehend arrest at the hands of the respondent police for the offences punishable under Sections 120(B), 419, 465, 467, 468, 471 and 420 IPC, in Crime No.04 of 2022 on the file of the respondent police, seek anticipatory bail.

2.The case of the prosecution is that on 01.03.1978, the defacto complainant's father executed a Will in respect of his properties in favour of the defacto complainant's mother and on 09.10.1991, the defacto complainant's mother executed a Will in respect of the said properties in favour of the defacto complainant and his other two brothers. In such circumstances, the defacto complainant came to know that all the accused had created the forged documents and committed crime of impersonation before the



registration department and alienated the above said properties. Hence, the complaint.

3.The learned counsel for the intervenor would submit that all the accused has created forged documents in respect of the defacto complainant's property.

4.The learned counsel for the petitioners would submit that the petitioners are innocent and they have not committed any offence as alleged by the prosecution.

5.The learned Government Advocate (Criminal Side) appearing for the respondent police would submit that the first accused was reported dead and that the accused 2 and 3 are the main accused and they have entered into 7 transactions with the property in dispute without ownership.

6.Considering the seriousness and gravity of the offence alleged against the petitioners and also the fact that investigation is pending, this Court is not inclined to grant anticipatory bail to the petitioners.

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

sd/-

18/04/2022

/ TRUE COPY /

/ /2022

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,
DISTRICT CRIME BRANCH,
THOOTHUKUDI, THOOTHUKUDI DISTRICT.
- 2 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1. CC to M/S.S.M.MOHAN GANDHI, Advocate SR.No.3491

ORDER IN

CRL OP(MD) No.3705 of 2022

Date :18/04/2022

SA/JM/SAR.4/25.04.2022/2P/4C