



WEB COPY



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 24/11/2022

PRESENT

The Hon`ble Mr.Justice A.A.NAKKIRAN

CRL OP(MD) . No.5351 of 2022

1. Hyron Beevi
2. Ravi

... Petitioners/Accused No.1 & 2

Vs

State rep.by
The Inspector of Police,
District Crime Branch,
Ramanathapuram District.
(in Crime No.5 of 2022).

... Respondent/Complainant

For Petitioners : M/s.Senthilkumar M, Advocate

For Respondent : Mr.E.Antony Sahaya Prabahar,
Additional Public Prosecutor

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

PRAYER :-

For Anticipatory Bail in Crime No.5 of 2022 on the file of the respondent Police.

ORDER : The Court made the following order :-

The petitioners/A1 & A2, who apprehend arrest at the hands of the respondent police for the offences punishable under Sections 120 (b), 465, 468, 471 and 420 of IPC, in Crime No.5 of 2022, seek anticipatory bail.

2.The case of the prosecution is that the property in Survey No. 326/4 to an extent of 1 acres 32 cents situated at Velipattinam Village, Ramanathapuram, is originally belongs to one Muthukathar, who is none other than the uncle of the first petitioner. The said Muthukathar converted the land as plots and



sold the same to several persons. In the above, plots No. 7 and 8 were sold to one Dr. Inolparitha on 30.01.1987 by way of sale deed No.168/1987 and Dr. Jahangir on 18.07.1989. The defacto complainant purchased the above said plots No.7 and 8 from Dr. Jahangir on 08.05.1990 by way of Sale Deed No.823 of 1990. The first petitioner created forged power of attorney and executed the same in favour of the second petitioner in respect of the above said land and the second petitioner was sold the property to the third accused in this case, who in turn sold the said property to the fourth and fifth accused. Hence, the complaint.

3. The learned counsel for the petitioners would submit that the petitioners are innocents and they have not committed any offence as alleged by the prosecution. However, the petitioner shall abide any conditions imposed by this Court. Hence, they may be granted anticipatory bail.

4. The learned Government Advocate (Crl.Side) would submit that the petitioners fabricated the revenue records and sold the property to the third accused, who in turn sold the property to the fourth and fifth accused. He would further submit that investigation in this case is not yet completed. Hence, he opposed to grant anticipatory bail to the petitioners.

5. Considering the nature and gravity of the offence and considering the worth of the property and also the facts that the investigation is not yet completed and the custodial interrogation of the petitioners is very much required in this case, this Court is not inclined to grant anticipatory bail to the petitioners.

6. Accordingly, this Criminal Original Petition is dismissed.

Sd/-

24/11/2022

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/12/2022

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

CP
TO

1. THE INSPECTOR OF POLICE,
DISTRICT CRIME BRANCH,
RAMANATHAPURAM DISTRICT.
2. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

ORDER
IN

CRL OP(MD) No.5351 of 2022
Date :24/11/2022

SP/VR/SAR IV/14/12/2022/2P/3C