



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 27/04/2022

WEB COPY

PRESENT

The Hon`ble Mr.Justice K.MURALI SHANKAR

CRL OP(MD). No.5506 of 2022

P.S.K.Sivakumar, ... Petitioner/Accused Rank Not Known

Vs

The State Rep By,
The Inspector of Police,
Munneerpallam Police Station,
Tirunelveli District.
(Cr.No.59/22).

... Respondent/Complainant

For Petitioner : MR.R.M.Suresh, Advocate.

For Respondent : Mr.M.Muthumanikkam,
Government Advocate (Crl.Side)

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

PRAYER :-

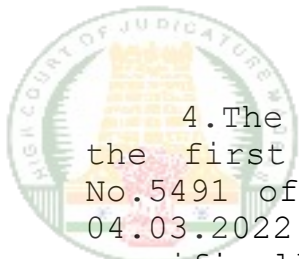
For Anticipatory bail in Crime No.59 of 2022 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioner/A2, who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 467, 468, 471 and 420 IPC @ Sections 467, 468, 471, 420 and 120(b) of IPC, in Cr.No.59 of 2022, seeks anticipatory bail.

2.The case of the prosecution is that the petitioner and other accused have grabbed the de-facto complainant's property and executed a sale deed and also obtained loan from one Sri Gokulam Chit Funds, Kodampakkam, Chennai, by executing a mortgage deed. Hence, the complaint.

3.The learned counsel for the petitioner would submit that the petitioner is innocent and he has not committed any offence as alleged by the prosecution.



4.The learned Government Advocate (Crl. side) would submit that the first accused has already filed a petition in Crl.O.P.(MD) No.5491 of 2022 before this Court and this Court vide order dated 04.03.2022 has granted interim stay as against the first accused and specifically directed the respondent police to proceed with the investigation as against the second accused/the present petitioner herein and other accused persons who are involved in the crime. He would further submit that the investigation is pending.

5.It is seen from the FIR that the petitioner's name was not mentioned. But in the alteration report, it has been specifically stated that the petitioner along with other accused had created the forged documents and formed a lay out and sold the plots.

6.Considering the seriousness and gravity of the offence alleged and also the fact that the investigation is pending as stated by the learned Government Advocate (Crl. side), this Court is not inclined to grant anticipatory bail to the petitioner.

7.Accordingly, this Criminal Original Petition is dismissed.

sd/-

27/04/2022

/ TRUE COPY /

/ /2022

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

SJI

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
MUNNEERPALLAM POLICE STATION,
TIRUNELVELI DISTRICT.
- 2 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

ORDER

IN

CRL OP(MD) No.5506 of 2022

Date :27/04/2022

sj i

PKP/SVR/SAR-2/04.05.2022/2P/3C

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