



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Dated: 11/07/2022

PRESENT

The Hon'ble Mr.Justice **G.ILANGOVAN**

Crl.OP(MD)No.12133 of 2022

1.Saroja
2.Jageer Usean
3.P.Kannan

...Petitioners/Accused Nos.5, 7 and 8

Vs.

State Rep.by
The Sub Inspector of Police,
District Crime Branch,
Karur District.
(Crime No.6 of 2022)

...Respondent/Complainant

For Petitioner : Mr.S.Gokulraj, Advocate

For Respondent : Mr.K.Kottai Chamy
Government Advocate (Criminal side)

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

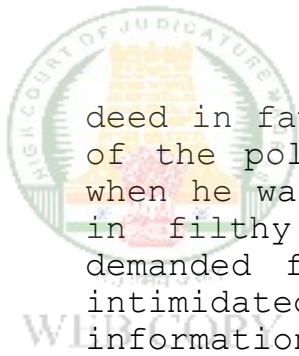
PRAYER:-

For Anticipatory Bail in Crime No.6 of 2022 on the file of the Respondent Police.

ORDER : The Court made the following order:-

The petitioners, who are arrayed as A5, A7 and A8 apprehending arrest at the hands of the respondent police for the offences punishable under sections 420, 465, 466, 467, 468, 471, 147, 294(b) and 506(2) IPC, in Crime No.6 of 2022 on the file of the respondent police, seek anticipatory bail.

2.The case of the prosecution is that the de-facto complainant namely Karuppaiah lodged a complaint stating that he was working as Junior Assistant in the Pungai Puliur between March 2014 and December 2020. on 25/06/2022 the accused persons came to the office and demanded NOC for the unapproved plots in survey Nos.517/B1, 571/B2, 517/D1, 517/D3 in Subbu Garden. He refused. They created a forged NOC by copying his signature in another document, so also created another document by forging the signature of the Executive Officer. One Pravin working in his office also colluding. Based upon the NOC, they created power of attorney document, executed sale



deed in favour of A1 and A2 etc. He lodged a complaint. But because of the political influence no action was taken. But on 18/01/2021 when he was in the house, the accused persons came to house, abused in filthy language and also criminally intimidated. They also demanded for the correction of the document. A1 also criminally intimidated him through phone. Because of the above said illegal information, the Union has suffered a loss of Rs.1,50,000/-. So, the case has been registered in Crime No.6 of 2022.

3. Seeking anticipatory bail, A5, A7 and A8 moved this petition.

4. The learned counsel appearing for the petitioners would submit the first petitioner purchased the house plot on 09/03/2021. The petitioners 2 and 3 have purchased on 30/04/2021. They are only subsequent purchasers. The complaint was lodged only after a lapse of two years. The co-accused namely A2 was granted anticipatory bail by this court in Crl.OP(MD)No.4196 of 2022, dated 08/03/2022. So far as A1 is concerned, the anticipatory bail petition was dismissed by this court in Crl.OP(MD)No.2313 of 2022, dated 08/03/2022. The petitioners are only subsequent purchasers, who are noway in the picture, when the alleged NOC was forged by A1. In the FIR, it has been stated that the property was subsequently sold in favour of A2 and the mother in law of A1 and A4 is the land broker.

5. From the facts and circumstances of this case, since the petitioners standing on the better footing than that of A2, because they are subsequent purchasers and they are not in the picture when the alleged NOC was forged by A1, on that ground alone, 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.1 Karur 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 Judicial Magistrate concerned and the petitioners shall appear before the respondent police daily at 10.00 a.m. until further orders. The petitioners shall comply with the condition stipulated under Section 438 Cr.P.C. scrupulously.

Sd/-

11/07/2022

/ TRUE COPY /

/07/2022

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

ER

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



TO

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

+1. CC to M/S. GOKULRAJ.S Advocate SR.No.6937(I)

ORDER

IN

CRL OP(MD) No.12133 of 2022

Date :11/07/2022

PKP/SVR/SAR-2/20.07.2022/3P/6C