



WEB COPY



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

Date : 05/08/2022

PRESENT

The Hon`ble Mr.Justice G.ILANGO VAN

CRL OP(MD) . No.14170 of 2022

Sathiyarajan

... Petitioner/Accused No.4

Vs

State rep.by
The Inspector of Police,
District Crime Branch,
Ramanathapuram District.
(Crime No.01 of 2022).

... Respondent/Complainant

For Petitioner : M/s.Mahendrarajan B, Advocate.

For Respondent : Mr.B.Thanga Aravindh,
Government Advocate (Crl.Side)

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

PRAYER :-

For Anticipatory Bail in Crime No.1 of 2022 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioner/Accused, who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 419, 465, 466, 471, 420 and 120(b) IPC, in Crime No.01 of 2022, seeks anticipatory bail.

2.The case of the prosecution is that the disputed property originally belonged to one Bairavan Chettiar. The petitioner along with others cheated by impersonation and fabricated the settlement deed dated 23.02.2015, in favour of the first accused. Thereafter, the first accused had executed a sale deed in favour of third accused. In the said document, the second and fourth accused have signed as attesting witnesses. Hence, the complaint. The petitioner herein is the fourth accused in this case.



3.This is the second anticipatory bail petition, the earlier anticipatory bail petition filed by the petitioner in CrI.O.P(MD). No.11440 of 2022 was dismissed by this Court on 28.06.2022, by observing that the petitioner was an attesting witness in the alleged document. This petition was filed only on the ground that the first accused was arrested and thereafter, released on bail. This ground cannot be taken into account for considering this petition.

4.The learned Government Advocate (CrI.Side) appearing for the respondent police submitted that the on the date of document, the original owner is not alive. By impersonation and fabricated the settlement deed dated 23.02.2015, the accused persons executed the document in favour of the first accused.

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

6.In the result, this Criminal Original Petition is dismissed. The petitioner shall surrender before the respondent police and thereafter seeks regular bail.

Sd/-
05/08/2022

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

TTA

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,
RAMANATHAPURAM DISTRICT.
2. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

ORDER

IN

CRL OP (MD) No.14170 of 2022

Date :05/08/2022

SP/SVR/SAR I/05/09/2022/3P/3C