



WEB COPY



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

Date : 26.08.2022

PRESENT

**The Hon`ble Mr.Justice K.MURALI SHANKAR**

**CRL OP(MD) . No.15469 of 2022**

S.Ithayaraj

... Petitioner/Accused No.5

Vs

State through its  
The Inspector of Police,  
Alanganallur Police Station,  
Madurai District.  
(Crime No.164 of 2022)

... Respondent/Complainant

For Petitioner : Mr.M.M.Manivel Pandian, Advocate.

For Respondent : Mr.R.M.Anbunithi,  
Additional Public Prosecutor.

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

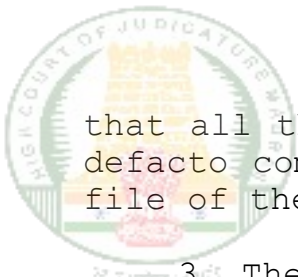
PRAYER :-

For Anticipatory Bail in Crime No.164 of 2022 on the file of the Respondent police.

**ORDER :** The Court made the following order :-

The petitioner/A.5, who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 120B, 406, 420, 467, 468, 471 and 506(2) IPC, in Crime No.164 of 2022, on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that the defacto complainant by name Seethapathy is owning land in Survey No.48/3 Plot No.29 at Kovilpapakudi Village, that the first accused by name Seetha changed his name as Seetha @ Seethapathy, fabricated false documents and impersonated and sold the said land to the second accused, who in turn mortgaged the same with the third accused, that the fourth accused is the document writer of the forged sale deed and the mortgaged deed, that the fifth accused had subsequently purchased the land and constructed a house by obtaining LIC housing loan and



that all the accused cheated the defacto complainant and hence, the defacto complainant filed suit in O.S.No.298 of 2019 pending on the file of the IV Additional District Court, Madurai.

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 Additional Public Prosecutor appearing for the respondent police would submit that investigation is pending.

5. Considering the above facts and circumstances and also the seriousness and gravity of the offence alleged and also the facts that the main accused are still absconding and 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.

Sd/-  
26/08/2022

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/09/2022  
Sub-Assistant Registrar (C.S.II)  
Madurai Bench of Madras High Court,  
Madurai - 625 023.

CSM

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

ORDER  
IN  
CRL OP(MD) No.15469 of 2022  
Date :26/08/2022