



WEB COPY



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

Date : 18/10/2022

PRESENT

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

CRL OP(MD) . No.17883 of 2022

Kanagaraaj

... Petitioner/5th Accused

Vs

State rep.by
The Inspector of Police,
District Crime Branch Police Station,
Sivagangai District.
(Crime No.30/2022).

... Respondent/Complainant

For Petitioner : M/s.Vivek Bharathi.M, Advocate.

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

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

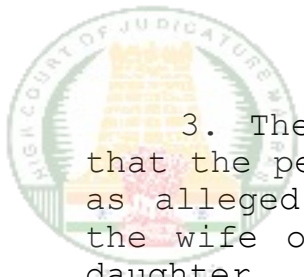
PRAYER :-

For Anticipatory Bail in Crime No.30/2022 on the file of the respondent police.

ORDER : The Court made the following order :-

The petitioner apprehending arrest at the hands of the respondent police for the offences punishable under sections 465, 468, 471, 420 and 120B IPC in Crime No.30 of 2022 on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that after getting divorce from the wife / A1, the defacto complainant is living separately from 2007. When he was tried to sell his land measuring about 11 ½ Cents in the Kandannur Village, he came to know that said land was already sold by his wife by creating fake death and legal heir certificate of him. Hence, the complaint.



3. The learned counsel appearing for the petitioner submitted that the petitioner is innocent and he has not committed any offence as alleged by the prosecution. He would further submit that since the wife of the defacto complainant / A1 is petitioner's sister's daughter, in order to harass him, his name has been falsely implicated in this case and he seeks anticipatory bail to the petitioner.

4. The learned Government Advocate (Crl. Side) appearing for the respondent would submit that totally seven accused involved in this case. He would further submit that A1 is the wife of the de facto complainant and the petitioner herein is maternal uncle of her and they have created the forged death and legal heir certificate of the de facto complainant and sold the land measuring about 11 ½ cents. Hence, the custodial interrogation of the petitioner is necessary and he strongly opposed to grant anticipatory bail to the petitioner.

5. Considering the serious nature of offence committed by the petitioner and also submission made by the learned Government Advocate (Crl. Side) appearing for the respondent, this Court is not inclined to grant anticipatory bail to the petitioner.

6. Accordingly, this Criminal Original Petition is dismissed.

Sd/-
18/10/2022

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/10/2022
Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

TRP

TO

1. The Inspector of Police,
District Crime Branch Police Station,
Sivagangai District.
2. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

ORDER
IN
CRL OP (MD) No.17883 of 2022
Date :18/10/2022

SP/SSS/SAR /27/10/2022/2P/3C