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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 26/10/2022

PRESENT

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

CRL OP(MD). No.18663 of 2022

1. Mahalingam

2. Nagappan ... Petitioners/Rank Not Known

Vs

The State Rep.by
The Inspector of Police,
Thirukkattupalli Police Station,
Thanjavur District.
Cr.No.74/2021.

... Respondent/Complainant

For Petitioner : M/s.Rajaraman R,
Advocate.
For Respondent : Mr.E.Antony Sahaya Prabahar,
Additional Public Prosecutor

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

PRAYER :-

For Anticipatory Bail in Crime No.74/2021 on the file of the Respondent police.

ORDER : The Court made the following order :-

The petitioners, who apprehend arrest at the hands of the respondent police for the offence punishable under Sections 120(b), 420 and 467 IPC in Crime No.74 of 2021 on the file of the respondent police, seek anticipatory bail.

2.The case of the prosecution is that the de-facto complainant owned some property in Natham S.No.73/3A to an extent of 0.05.0 ares and in S.No.73/9A to an extent of 12.50 ares at Kudamuritti Line Karai, Thirukkattupalli Town Panchayat, Thanjavur District, in which, A1 to A4 attempted to construct the building and

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also made a life threat to the de-facto complainant. On en[illegible]e came to know that A1 executed a settlement deed vide Doc.No.741 of 2010, dated 14.06.2010 in favour of A2 with the help of these petitioners, who were serving as Sub Registrars in Thirukattupalli Sub-Registrar Office. Hence, the complaint.

3.The learned counsel for the petitioners would submit that the petitioners names were not found in the FIR and they are innocents and they have been falsely implicated in this case. Hence, he prays for anticipatory bail.

4.The learned Additional Public Prosecutor would submit that when the petitioners were working as Sub-Registrars, they registered the above said documents in favour of A1 to A3 and the investigation is pending and the custodial interrogation of the petitioners is required in this case. Hence, he strongly opposed to grant anticipatory bail.

5.Considering the facts and circumstances of the case and also considering the facts that the investigation is not yet completed and the custodial interrogation of the petitioners is very much necessary in this case, this Court is not inclined to grant anticipatory bail to the petitioners.

6.Accordingly, this Criminal Original Petition is dismissed.

sd/-
26/10/2022

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/11/2022
Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

SJI

TO

1. The Inspector of Police,
   Thirukkattupalli Police Station,
   Thanjavur District.

2. The Additional Public Prosecutor,
   Madurai Bench of Madras High Court, Madurai.

ORDER
IN
CRL OP(MD) No.18663 of 2022
Date :26/10/2022

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RD/888/SAR-I (02/11/2022) 2P 3C