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CRL OP(MD). N



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

Date : 10/11/2022

PRESENT

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

CRL OP(MD). No.18962 of 2022

1. Panneer Dass

2. Selvam

... Petitioners/Accused No.5 & 6

Kuthalingam

... Intervening Petitioner/
Defacto Complainant
in CRL MP (MD)No.13138 of 2022

Vs

The State represented by
The Inspector of Police,
Valliyoor Police Station,
Tirunelveli District.
Crime No. 274 of 2022.

... Respondent/Complainant

For Petitioner : M/s.Karunanidhi R,
Advocate.

For Respondent : Mr.E.Antony Sahaya Prabahar,
Additional Public Prosecutor

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

PRAYER :-

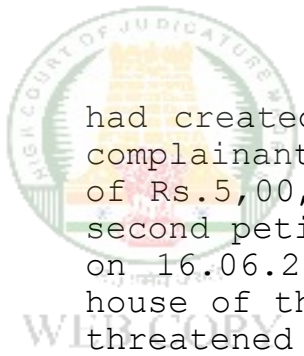
For Anticipatory Bail in Crime No.274 of 2022 on the file of
the respondent Police.

ORDER : The Court made the following order :-

The petitioners/A5 and A6, who apprehend arrest at the hands of
the respondent police for the offence under Sections 147, 420, 465,
471, 294(b) and 506(ii) IPC in Crime No.274 of 2022, seek
anticipatory bail.

2.The case of the prosecution is that A1 and A2 received a sum
of Rs.5,00,000/- from the de-facto complainant and entered into an
unregistered sale agreement. In the said agreement, A3 and A4 are
attesting witnesses. It is further alleged that A1 to A4

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had created a false document forging the signature of the complainant as the de-facto complainant received an advance amount of Rs.5,00,000/-. Subsequently, A1 and A2 sold the said land to the second petitioner, who is the wife of the first petitioner. Further, on 16.06.2022, A1 to A4 along with these petitioners went to the house of the de-facto complainant, abused him in filthy language and threatened him with dire consequences. Hence, the complaint.

3.The learned counsel for the petitioners would submit that the petitioners are the bonafide purchasers and they have no knowledge about the alleged earlier unregistered agreement and they are innocents and they have not committed any offence as alleged by the prosecution. Hence, he prays for anticipatory bail.

4.The learned Additional Public Prosecutor for the respondent police and the learned counsel for the intervenor would submit that A1 and A2 received a sum of Rs.5,00,000/- from the de-facto complainant and entered into an unregistered sale agreement and A3 and A4 are signed as attesting witnesses. They would further submit that A1 to A4 forged the de-facto complainant's signature and created a cancellation of sale agreement and by showing the same, they have registered the sale deed in favour the second petitioner. Hence, they strongly opposed to grant anticipatory bail.

5.Considering the facts and circumstances of the case and also considering the huge amount involved in this case, this Court is not inclined to grant anticipatory bail to the petitioners.

6.Accordingly, this Criminal Original petition is dismissed.

sd/-

10/11/2022

/ TRUE COPY /

/11/2022

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

TO

- 1 THE INSPECTOR OF POLICE
VALLIYOOR POLICE STATION, TIRUNELVELI DISTRICT.
- 2 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.

ORDER

IN

CRL OP(MD) No.18962 of 2022

Date :10/11/2022

SS/VR/SAR III/22/11/2022/ 2P 3C

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