



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

Date : 01/12/2022

PRESENT

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

CRL OP(MD) . No.21062 of 2022

Jayakumar

... Petitioner/Sole Accused

Vs

The State Rep. by,
The Inspector of Police,
Kumbakonam West Police Station,
Thanjavur District.
(Crime No.890/2022).

... Respondent/Complainant

For Petitioner : M/s.Veerapandi.P,
Advocate
For Respondent : Mr.M.Vaikkam Karunanithi,
Government Advocate (Crl.Side)

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

PRAYER :-

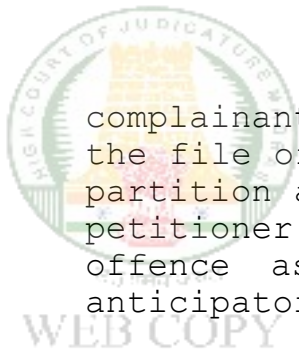
For Anticipatory Bail in Crime No.890/2022 on the file of the respondent police.

ORDER : The Court made the following order :-

The petitioner/Sole Accused, who apprehends arrest at the hands of the respondent police for the offence under Sections 404, 405, 463, 464, 467, 468 and 420 of IPC in Crime No.890 of 2022, seeks anticipatory bail.

2.The case of the prosecution is that one deceased Purushothaman is having four daughters and one son. The petitioner, who is the brother of the defacto complainant obtained a legal heir certificate on 28.06.2005 in favour of him and his mother, by suppressing the fact of other legal heirs, viz., his four other daughters including the defacto complainant with an intention to grab the property of his father. Hence, the complaint.

3.The learned counsel for the petitioner would submit that it is a civil dispute, which has been given criminal colour. The petitioner has not committed any offence as alleged by the prosecution and has not involved in any crime. The defacto



complainant has already filed a civil suit in O.S.No.44 of on the file of the learned Additional District Court, for the relief of partition and the same is pending. He would further submit that the petitioner is an innocent person and he has not committed any offence as alleged by the prosecution. Hence, he prays for anticipatory bail.

4.The learned Government Advocate (crl.side) appearing for the respondent police would submit that petitioner obtained legal heir certificate leaving behind the defacto complainant and other legal heirs with an intention to grab the property. He would further submit that investigation is in initial stage and custodial interrogation of the petitioner is very much necessary. Hence, he strongly opposed for grant of anticipatory bail to the petitioner.

5.Considering the nature and gravity of offence and also considering the fact that the investigation is still in nascent stage, custodial interrogation of the petitioner is very much necessary. Hence, this Court is not inclined to grant anticipatory bail to the petitioner.

6.Accordingly, this Criminal Original petition is dismissed.

sd/-
01/12/2022

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/01/2023

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

CP

TO

1. THE INSPECTOR OF POLICE,
KUMBAKONAM WEST POLICE STATION,
THANJAVUR DISTRICT.
2. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

ORDER
IN
CRL OP(MD) No.21062 of 2022
Date :01/12/2022

USK/MMS/SAR-II/02.01.2023/2P/3C