



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 28.02.2023

PRESENT

THE HON'BLE MR.JUSTICE A.D.JAGADISH CHANDIRA

CRL.O.P(MD)No.2458 of 2023

WEB COPY

Ramesh

... Petitioner/Accused
Rank Not Known

-VS-

The State represented by
The Inspector of Police,
DCB (District Crime Branch)
Madurai District.
(Cr.No. 26 of 2022)

... Respondent/Complainant

PRAYER: Criminal Original Petition filed under Section 438 of Cr.P.C, praying to enlarge the petitioner on bail in the event of his arrest by the respondent Police with respect to Cr.No.26 of 2022.

For Petitioner : M/s.A.BANUMATHY, Advocate

For Respondent : Mr.P.KOTTAI CHAMY
Government Advocate (Crl.side)

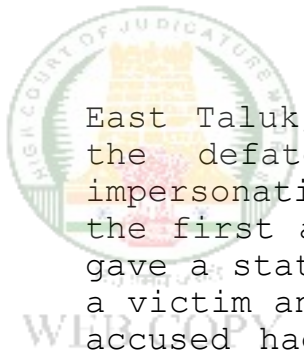
O R D E R

The petitioner, who apprehends arrest at the hands of the respondent Police for the offences punishable under Sections 120(B), 419, 420, 465, 467, 468, 471 IPC in Crime No.26 of 2022 on the file of the respondent Police, seeks anticipatory bail.

2.The case of the prosecution, as per the de-facto complainant Gnaneshwari is that she is the owner of 7 cents in new Survey No.15/4D1B, Kondabethan Village, Madurai East Taluk, Madurai District and she was in possession. While so, the accused, by fabrication of documents and impersonation had sold the property to one Jeevasugu Sathyanathan, the first accused and other accused have assisted.

3.The learned counsel for the petitioner would submit that the petitioner is an innocent person and he has only acted as a Broker for transaction and other than that, he has no role in the case and thereby he would seek anticipatory bail to the petitioner.

4.The learned Government Advocate (Crl.side) would submit that the property in new Survey No.15/4D1B Kondabethan Village, Madurai



East Taluk, Madurai District to an extent of 7 cents be to the defato complainant and the accused by fabrication and impersonation had sold the property to one Jeevasugu Sathyanathan, the first accused. The first accused appeared before the police and gave a statement under Section 164 Cr.P.C stating that he himself is a victim and later he has cancelled the document, however, the other accused had impersonated as Gnaneshwari and sold the property. He would further submit that a sum of Rs.5 lakhs has been transferred to the account of one Ramesh, the petitioner herein and Rs.6 lakhs to the account of one Muneeshwaran and some accused have absconded. Hence, he would pray for dismissal of this application.

5. Heard and perused the materials available on record.

6. Considering the facts and circumstances of the case, this Court is not inclined to grant anticipatory bail to the petitioner. Hence, this petition is dismissed for the present.

sd/-

28/02/2023

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/02/2023

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

CM

TO

- 1 THE INSPECTOR OF POLICE,
DCB (DISTRICT CRIME BRANCH)
MADURAI DISTRICT.
- 2 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.

ORDER

IN

CRL OP(MD) No.2458 of 2023

Date :28/02/2023

SA/BUC/SAR.3/17.03.2023/2P/3C