



(1)CrI.OP(MD)No.13218 of 2023:-

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Dated: 26/09/2023

THE HON'BLE MR JUSTICE G.ILANGO VAN

CrI.OP(MD)Nos.13218 and 13828 of 2023

(1)CrI.OP(MD)No.13218 of 2023:-

1.Rampitchai

2.Saravanakumar

3.Velnayagam

... Petitioners/ Accused Nos.2 to 4

Vs.

State rep. by
The Inspector of Police,
Theppakulam Police Station,
Madurai City,
(In Crime No.306 of 2023)

...Respondent/ Complainant

For Petitioners : Mr.N.Anandakumar, Advocate

For Respondent : Mr.B.Nambiselvan
Additional Public Prosecutor

For Intervenor : Mr.A.Abdul Hameed, Advocate



(1)Crl.OP(MD)No.13218 of 2023:-

(2)Crl.OP(MD)No.13828 of 2023:-

Pooranam

.... Petitioner/ Accused No.1

Vs.

State rep. by
The Inspector of Police,
Theppakulam Police Station,
Madurai City,
(In Crime No.306 of 2023)

... Respondent/Complainant

For Petitioner : Mr.N.Anandakumar,Advocate

For Respondent : Mr.B.Nambiselvan
Additional Public Prosecutor

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

COMMON PRAYER:-For Anticipatory Bail in Crime No.306 of 2023 on the file of the Respondent Police.

COMMON ORDER: The Court made the following order:-

The petitioners, who are arrayed as A1 to A4 apprehend arrest at the hands of the respondent police for the offences punishable under sections 120(B), 406, 420, 465, 468 and 471 IPC, in Crime No.306 of 2023 on the file of the respondent police, seek anticipatory bail.

2.The case of the prosecution is that the de-facto complainant lodged a complaint stating that he is doing Real Estate business, so also Deivanayagam. It was informed him that the wife of Deivanayagam is having 1.67 Acres in T.Ayyankottai

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(1)Crl.OP(MD)No.13218 of 2023:-

Village. It was informed by one Murugan that on 18/10/2019, an agreement was reached between the parties to purchase the property for Rs.45,00,000/- and a Joint Power of Attorney was also executed. In the above said agreement, the de-facto complainant was given power to sell the property. He paid the above said agreement amount of Rs.45,00,000/-, on various installments to Pooranam Ammal. During the above said time, her son namely Rampitchai and Ravi were also present. Remaining amount was also paid in the presence of the above said Deivanagayam, Rampitchai, Kingsly, Murugan, Selvam and Vasu. Pooranam ammal also executed a receipt. Possession was handed over, so also the parent document.

3. When preparing the lay-out plan, he came to know that that the above said Power of Attorney was cancelled by Pooranam Ammal. Further enquiry reveals that they obtained false Missing Certificate from the police Department and executed a settlement deed in favour of Rampitchai. On the basis of the above said occurrence, a case in Crime No.306 of 2023 was registered for the offences stated above.

4. Seeking anticipatory bail, these petitions have been filed by A1 to A4.

5. Pending the above said hearing process, the matter was referred to Mediation and Conciliation Centre, attached to this Bench. In spite of best efforts taken by the Mediator, no settlement could be arrived between the parties. The de-facto complainant did not keep up his promise. So, Poranam Ammal and her husband



(1)Crl.OP(MD)No.13218 of 2023:-

namely Deivanayagam demanded the parent documents back. Because of the poor memory only, they have stated that the parent documents are in the hands of the Mediator. Oral information was also given to the de-facto complainant and he was giving no objection. On 07/03/2020, Poranam Ammal sent notice of reclamation. After completing proper proceedings, settlement deed was executed by Pooranam Ammal in favour of the de-facto complainant. The de-facto complainant sent a reply only on 08/03/2023. It is further stated that if there is any breach of contract, then the de-facto complainant can very well maintain a civil suit.

6.In view of the above fact, this court is inclined to grant anticipatory bail to the petitioners with certain conditions. Accordingly, the petitioners/ A1 to A4 are ordered to be released on bail in the event of arrest or on their appearance before the learned Judicial Magistrate No.I, Madurai and on each of them executing a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) with two sureties each for a like sum to the satisfaction of the learned Judicial Magistrate concerned and on further condition that the petitioners shall appear before the respondent police daily at 10.30 am until further orders. The petitioners shall comply with the condition stipulated under

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(1)Crl.OP(MD)No.13218 of 2023:-

Magistrate within a period of 15 days from the date on which the order is made ready, failing which, the petition for anticipatory bail will stand dismissed.

sd/-
26/09/2023

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/10/2023

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

ER
TO

- 1 THE JUDICIAL MAGISTRATE NO.I
MADURAI.
- 2 DO THROUGH:
THE CHIEF JUDICIAL MAGISTRATE,
MADURAI DISTRICT.
- 3 THE INSPECTOR OF POLICE
THEPPAKULAM POLICE STATION,
MADURAI CITY,
- 4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1 CC to M/s.A.ABDUL HAMEED, Advocate (SR-14291[I] dated 27/09/2023)



(1)Crl.OP(MD)No.13218 of 2023:-

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+2 CC to M/s.N.ANANDA KUMAR, Advocate (SR-14292 & 14293 [I] dated 27/09/2023)

ORDER
IN
Crl.OP(MD)Nos.13218 and 13828 of 2023
Date :26/09/2023

PKP/VRS/SAR- /11.10.2023/ 6P/ 8C

Madurai Bench of Madras High Court is issuing certified
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