



Crl.OP(MD)No.15312 of 2023

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Reserved on : 27/09/2023

Pronounced on : 04/10/2023

THE HON'BLE MR JUSTICE G.ILANGO VAN

Crl.OP(MD)No.15312 of 2023

Karuppan

: Petitioner/Sole Accused

Vs.

1.The State represented
by its the Inspector of Police,
E.Pudhur Police Station,
Trichy City.
(In Crime No.645 of 2023)

: Respondent/ Complainant

2.Valliyammai
(R2 suo motu impleaded
as per the order, dated
23/08/2023)

: R2/De-facto Complainant

For Petitioner : Mr.D.S.Haroon Rasheed, Advocate

For Respondent : Mr.R.Suresh Kumar

Government Advocate (Criminal side)

For 2nd Respondent : Mr.B.Jameel Arasu, Advocate

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

PRAYER:-

For Anticipatory Bail in Crime No.645 of 2023 on the file of the Respondent Police.



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ORDER: The Court made the following order:-

The petitioner, who is arrayed as Sole Accused apprehends arrest at the hands of the respondent police for the offence punishable under section 380 IPC, in Crime No.645 of 2023 on the file of the respondent police, seeks anticipatory bail.

2.The case of the prosecution, as per the de-facto complainant's version is that the property situated in Old Survey No.42 (New Survey No.118/1) measuring about 1.5 Acres was purchased by him, on 02/03/1974. Her son-in-law by name Karuppan is living with her. After the death of her 2nd son-in-law by name Kalimuthu, taking advantage of the joint family, the accused stolen away the parent document. A case was also registered. On that occasion, the accused promised him to return the original document. When the document was produced to her, she found some sort of correction in the parent document. When the document was demanded, the accused started demanding settlement of the property in his name. She was also abused and criminally intimidated. On the basis of the above said occurrence, a case in Crime No.645 of 2023 was registered for the offence stated above.

3.Seeking anticipatory bail, this petition has been filed by the petitioner finding that it is a dispute between the father-in law-and son-in-law over the alleged stealing of the parent document.

4.The matter was referred to the Mediation and Conciliation Centre, attached to

<https://www.mhc.tn.gov.in/judis>



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this Bench to explore the possibility of settlement. In the Mediation Centre, both parties appeared, but the de-facto complainant started saying that apart from the document now produced, two other documents are also available in the custody of the petitioner. So, no settlement could be reached between the parties, in view of the difference of opinion.

5.The learned counsel appearing for the petitioner would submit that even in the FIR, no such allegation has been made to the effect that three documents have been stolen by the petitioner. Only one document is mentioned.

6.The second respondent also produced the document before this court. In that document, some corrections are available with regard to the survey number. The de-facto complainant can very well obtain the certified copy of the original document. It has been contended by the second respondent that the original document was handed over in the present form. No correction was made either by the petitioner or by her.

7.In view of the above said factual circumstances of the case, I find no reason subjecting the petitioner to custodial interrogation.

8.In view of the above, this court is inclined to grant anticipatory bail to the petitioner with certain conditions. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on his appearance before the learned Judicial



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Magistrate No.II, Trichy and on his 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 petitioner shall appear before the respondent police daily at 10.30 am until further orders. The petitioner shall comply with the condition stipulated under [Section 438 Cr.P.C.](#) scrupulously. The petitioners shall appear before the concerned 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/-

04/10/2023

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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.II
TRICHY.
- 2 DO THROUGH:
THE CHIEF JUDICIAL MAGISTRATE,
TRICHY DISTRICT.



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3 THE INSPECTOR OF POLICE
E.PUDUR POLICE STATION, TRICHY CITY.

4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

ORDER
IN
CRL OP(MD) No.15312 of 2023
Date :04/10/2023

PKP/DD/SAR- /12.10.2023/ 5P/ 5C

Madurai Bench of Madras High Court is issuing certified
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