



Crl.O.P(MD) No.18547 of 2023

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 15/12/2023

PRESENT

The Hon`ble Mr.Justice G.ILANGO VAN

CRL OP(MD) Nos.18547 and 19224 of 2023

Crl.O.P(MD) No.18547 of 2023

Nagaramapandiyan

... Petitioner/ Accused No.1

Vs

The State, represented by
The Inspector of Police,
DCB Police Station,
Madurai District.
(Crime No.22 of 2023).

... Respondent/Complainant

For Petitioner : Mr.S.Ramsundarvijayraj,
Advocate.

For Respondent : Mr.R.M.Anbunithi,
Additional Public Prosecutor (Crl.Side)

Crl.O.P(MD) No.19224 of 2023

Mayakkal

... Petitioner/ Accused No.3

Vs

The State, represented by
The Inspector of Police,
Madurai Crime Branch Police Station,
Madurai District.
(Crime No.22 of 2023).

... Respondent/Complainant



Crl.O.P(MD) No.18547 of 2023

For Petitioner : Mr.K.Maharaja,
Advocate.

For Respondent : Mr.R.M.Anbunithi,
Additional Public Prosecutor (Crl.Side)

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

PRAYER :-

For Anticipatory Bail in Crime No.22 of 2023 on the file of the Respondent Police.

ORDER : The Court made the following common order :-

The petitioners/ Accused Nos.1 and 3, apprehending arrest at the hands of the respondent Police for the alleged offence punishable under Sections 419, 420, 465, 467, 468, 471 of I.P.C, in Crime No.22 of 2023 on the file of the respondent Police, seeks anticipatory bail.

2. The case of the prosecution is that the defacto complainant, the first petitioner and six others are the children of the second petitioner. A property in Survey No.453/51 of Kovilankulam village to an extent of 0.71 ares equal to 1 $\frac{3}{4}$ cents originally belongs to one Angammal who is the mother of the second petitioner. The said Angammal had 8 children and the said 1 $\frac{3}{4}$ cents has to be divided among the eight children and hence the second petitioner is entitled to 19 sq.ft. Without dividing the above, the third petitioner had executed a settlement deed in favour of the first petitioner for the entire 1 $\frac{3}{4}$ cents through a registered



Crl.O.P(MD) No.18547 of 2023

settlement deed vide Doc.No.1279 of 2016 dated 02.08.2016. The execution was made by the third petitioner by impersonating the deceased Angammal. Hence the complaint.

3. The learned counsel for the petitioners submitted that the petitioners are innocent, they have been falsely implicated in this case and they have not committed any offence as alleged by the prosecution.

4. Heard the Additional Public Prosecutor and perused the materials on record and also the CD files.

5. In pursuance of the undertaking given by the petitioners in both the petitions, disputed document is considered. It is not reflected in the encumbrance certificate.

6. In view of the above said development, this Court is inclined to grant anticipatory bail to the petitioners.

7. Accordingly, these Criminal Original Petitions are allowed and petitioners are ordered to be released on bail in the event of arrest or on their appearance, before the learned Judicial Magistrate No.I, Madurai, on condition that the petitioners shall execute a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) each with two sureties each for a like sum to the satisfaction of the learned Magistrate concerned and the petitioners shall appear before the respondent Police



Crl.O.P(MD) No.18547 of 2023

daily at 10.30 a.m. until further orders. The petitioners shall comply with the condition stipulated under Section 438 Cr.P.C. scrupulously.

8. The petitioners shall appear before the concerned Magistrate within a period of 15 days from the date on which the order copy made ready, failing which, the petition for anticipatory bail stands dismissed.

sd/-
15/12/2023

/ TRUE COPY /

/01/2024
Sub-Assistant Registrar
(C.S. I / II / III/ IV)
Madurai Bench of Madras High Court,
Madurai - 625 023.

INDU

TO

- 1 THE JUDICIAL MAGISTRATE NO.I
MADURAI.
- 2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
MADURAI.
- 3 THE INSPECTOR OF POLICE
DCB POLICE STATION, MADURAI DISTRICT.
- 4 THE INSPECTOR OF POLICE,
MADURAI CRIME BRANCH POLICE STATION,
MADURAI DISTRICT.



Crl.O.P(MD) No.18547 of 2023

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

+ 1 CC TO Mr.S.Ramsundarvijayraj, ADVOCATE IN SR No.17869 DATED
15/12/2023

ORDER
IN
CRL OP(MD) Nos.18547 and 19224 of 2023
Date :15/12/2023

SS/JGB/SAR- /03/01/2024/5P/7C

Madurai Bench of Madras High Court is issuing certified copies in this format from 17/07/2023