



CRL OP(MD) No.203 of 2024

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

Monday, the Eighth day of January Two Thousand and Twenty Four

PRESENT

The Hon`ble Mr.Justice M.DHANDAPANI

CRL OP(MD) No.203 of 2024

1 THIRUPATHIRAJAN

2 VIJAY ARUL JO @ VIJAY ARUL JOE

3 GOVINDAN

... Petitioners / Accused No.8,9 & 11

Vs

THE INSPECTOR OF POLICE
DCB POLICE STATION,
VIRUDHUNAGAR DISTRICT.
(CRIME NO.19 OF 2023)

... Respondent / Complainant

For Petitioner : M/S.R.L.Dhilipan Pandian, Advocate
for Mr.Arokiya Selva Ramesh, Advocate

For Respondent : Mr.P.Kottaichamy,
Government Advocate (Crl. Side)

For Intervener : Mr.V.Maharajan, Advocate

PETITION FOR ANTICIPATORY BAIL Under Sec. 439 Cr.P.C.

PRAYER : FOR ANTICIPATORY BAIL IN CRIME NO.19 OF 2023 ON THE FILE OF
THE RESPONDENT POLICE.



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ORDER : The Court Made the following order :-

The petitioners, who apprehend arrest at the hands of the respondent police for the alleged offence under Sections 406, 420, 417, 465, 467, 468 and 471 IPC, in Crime No.19 of 2023, seek anticipatory bail.

2.The case of the prosecution is that the defacto complainant and the first accused are sister and brother. In order to grab the family property, the first accused has created a forged Will as if it was executed in favour of him by his mother, based on which, the first accused has executed a sale deed in favour of A8, A9, A10 and A11. Hence, the complaint.

3.The learned counsel appearing for the petitioners would submit that the petitioners did not commit any offence as alleged by the prosecution and they have been falsely implicated in this case. He would further submit that it is purely a civil dispute and the defacto complainant, instead of approaching the civil Court, has filed a complaint before the respondent Police.

4. The learned counsel appearing for the defacto complainant would submit that the mother of the defacto complainant died in the year 2017 and the forged Will was created by A1 with the aid of A3 and A4 and subsequently, A1 alienated the property in favour of A8, A9, A10 and A11 for a meagre amount. Hence, he prays



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for dismissal of this petition.

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5.The learned Government Advocate (Crl.side) appearing for the respondent Police would submit that the investigation is yet completed

6. Considering the facts and circumstances of the case and the fact that it appears to be a civil dispute between the petitioners and the defacto complainant, I am inclined to grant anticipatory bail to the petitioners.

7.Accordingly, the petitioners are granted anticipatory bail and they are ordered to be released on bail in the event of arrest or on their appearance, within a period of fifteen days from the date of receipt of a copy of this order, before the learned Judicial Magistrate No.II, Virudhunagar, 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 respondent police or the police officer who intends to arrest or to the satisfaction of the learned Magistrate concerned and on further condition that:

(a)if the petitioners failed to surrender before the concerned Magistrate within a period of 15 days from the date of receipt of a copy of this order, this order shall stand automatically cancelled;

(b)the sureties shall affix their photographs and left thumb impression in the surety bond and the Court concerned may obtain a copy of their Aadhar card or



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Bank pass Book to ensure their identity;

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(c)the petitioners shall report before the respondent police daily at 10.30 a.m., until further orders;

(d)the petitioners shall not tamper with evidence or witness either during investigation or trial;

(e)the petitioners shall not abscond either during investigation or trial;

(f)on breach of any of the aforesaid conditions, the learned Magistrate/ Trial Court is entitled to take appropriate action against the petitioners in accordance with law as if the conditions have been imposed and the petitioners released on bail by the learned Magistrate/Trial Court himself as laid down by the Hon'ble Supreme Court in P.K.Shaji Vs. State of Kerala [(2005) AIR SCW 5560]; and;

(g)if the accused thereafter absconds, a fresh FIR can be registered under Section 229-A IPC;

sd/-
08/01/2024

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

SSB



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1.The Judicial Magistrate No.II,
Virudhunagar.

2.Do through the Chief Judicial Magistrate,
Virudhunagar District at Srivilliputhur.

3.The Inspector of Police,
DCB Police Station,
Virudhunagar District.

4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

ORDER

IN

CRL OP(MD) No.203 of 2024

Date :08/01/2024

ED/ JGB /SAR- (11/01/2024) 5P / 5C

Madurai Bench of Madras High Court is issuing certified copies in this format from
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