



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

Wednesday, the Twenty Eighth day of December Two Thousand Eleven

WEB COPY

PRESENT

The Hon`ble Mr.Justice S. RAJESWARAN

CRL OP(MD) Nos.17259 and 17386 of 2011

1 G.N.SUNDARPANDIAN

2 G.N.ASHOK KUMAR

... PETITIONERS/ACCUSED NOS.2&3
IN CRL.OP(MD)NO.17259/2011

G.N.MAHENDRAVARMAN

..PETITIONER/ACCUSED IN
CRL.OP(MD)NO.17386/2011

Vs

1.STATE REP BY

THE INSPECTOR OF POLICE

ANTI LAND GRABBING WING, THANJAVUR

2.THE INSPECTOR OF POLICE

PATTUKOTTAI TOWN POLICE STATION,

THANJAVUR DISTRICT,

CR.NO.552/2011 ..RESPONDENT/COMPLAINANT IN BOTH THE PETITIONS

For Petitioner : M/S. V.BHARATHIDASAN Advocate
in Crl.OP(MD)No.17259/2011

M/S.C.BHARATHI, Advocate
in Crl.OP(MD)No.17386/2011

For Respondent : Mr.C.RAMESH, Govt. Advocate (Crl. Side)

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

ORDER : The Court Made the following order :-

The petitioners, in both the petitions , apprehend arrest at the hands of the respondent police for the alleged offence punishable under Sections 294(b), 467, 420 and 506(ii) of IPC and under Section 4 of Women Harassment Act, in Crime No.552 of 2011 , on the file of the respondent police, seek anticipatory bail under Section 438 of the Code of Criminal Procedure.

<https://hcservices.ecourts.gov.in/hcservices/> 2. Heard Mr.V.Bharathi Dasan, learned counsel appearing for the petitioners in Crl.OP(MD)No.17259 of 2011 and Mr.C.Bharathi, learned counsel appearing for the petitioner in Crl.OP(MD) No.17386 of 2011 and Mr.C.Ramesh, learned Additional Public Prosecutor appearing for the State.



3.The case of the petitioners is that they are brothers and they are co-accused in Crime No.552 of 2011. The petitioners/A2 to A3 have sold the common undivided property to the de-facto complainant and it was objected to by A-1, the other brother, the petitioner in Crl.MP(MD)No.17386 of 2011.

4.Further, the Accused No.1 has also filed a suit in O.S.No.71 of 2008 before the District Munsif Court, Pattukottai and obtained an order of injunction in I.A.No.122 of 2008 against his brothers and Sub-Registrar not to register the sale deed executed by A2 and A3.

5.As a counter blast, the de-facto complainant has given a complaint against all the brothers. It is also reported that A-4 has already got bail from the trial Court and the A-5 has also obtained anticipatory bail from this Court.

6.The learned Additional Public Prosecutor would submit that due to civil dispute, the petitioners have been implicated. He would further submit that investigation is pending and if for any reason, this Court is inclined to grant anticipatory bail to the petitioners, suitable conditions may be passed for the secured presence of the petitioners.

7.In the light of the above, I am inclined to grant anticipatory bail to the petitioners, of course, subject to certain stringent conditions.

8.Accordingly, the petitioners are directed to be released on anticipatory bail, in the event of their arrest or on their appearance before the Judicial Magistrate concerned, on executing separate 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, Pattukottai, and on further condition that the petitioners shall appear before the respondent police daily at 10.30 a.m. for a period of three weeks.

9.The petitioners shall appear before the Magistrate concerned within a period of 15 days, failing which, the anticipatory bail granted shall stand automatically cancelled.

sd/-
28/12/2011

/ TRUE COPY /

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



TO

1. THE JUDICIAL MAGISTRATE
PATTUKOTTAI

2. DO THROUGH THE CHIEF JUDICIAL MAGISTRATE
THANJAVUR DISTRICT

3. THE INSPECTOR OF POLICE
ANTI LAND GRABBING WING, THANJAVUR

4. THE INSPECTOR OF POLICE
PATTUKOTTAI TOWN POLICE STATION, THANJAVUR DISTRICT

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

+1. CC to M/S. V. BHARATHIDASAN Advocate SR.No.46193
+One cc to M/s. C. BHARATHI, Advocate, SR.No.46192
rl/8c - 28.12.2011

ORDER
IN
CRL OP (MD) Nos.17259 and
17386 of 2011
Date :28/12/2011