

IN THE COURT OF PRINCIPAL DISTRICT & SESSIONS JUDGE,
PERAMBALUR.

Present: Tmt.S.Subadevi, B.A., B.L., M.B.A,
Principal District and Sessions Judge,
Perambalur.

Monday, this the 13th day of July, 2020.

E. Bail No.325/2020.

1. Selvam, 59/2020, (A-1),
S/o.Chinnasamy.

2. Duraisamy, 75/2020, (A-4),
S/o.Perumal.

3. Natarajan, 54/2020, (A-5),
S/o.Veerassamy,
All are residing at,
Keelapuliyur Village,
Kunnam Tk., Perambalur District.

... Petitioners/Accused.

-VS-

Represented by the Inspector of Police,
D.C.B.

Perambalur District.

Cr.No.03/2020.

Offence U/S.120(B), 406, 463, 465, 471 and 420 IPC.

... Respondent/Complainant.

This petition coming on this day before me for order in the form of e-bail by Thiru.K.N.Ramasamy, Advocate for the petitioners and the Public Prosecutor for the State and upon hearing for them, this Court has delivered the following...

ORDER

This petition has been filed U/s 438 of Cr.P.C. for grant of anticipatory bail to the petitioners for the offence U/S.120(B), 406, 463, 465, 471 and 420 IPC.

2. The learned Counsel for the petitioner submitted that the alleged date of occurrence was on 11.09.2015 and FIR was registered on 02.07.2020 and the petitioners/accused are no way connected with the alleged offence and the investigation has been completed and if they are released on anticipatory bail, they are ready to furnish sufficient sureties and to abide the conditions which are imposed by this Court and undertake to pay the court fee and they have not filed any anticipatory bail application before the Hon'ble High Court of Madras and hence the accused are seeking for anticipatory bail.

3. The petitioners Counsel argued that this case is in totally civil nature and the occurrence took place on 11.09.2015 and FIR was registered on 02.07.2020 and the petitioners are no way connected with the alleged offence and investigation is almost completed and A1 is 59 years old, A4 is 75 years old and A5 is 55 years old hence anticipatory bail may be considered.

4. The Intervener Counsel has stated that the petitioner has approached the Hon'ble High Court of Madras and based on the direction, the case has been registered. The investigation is not yet completed and anticipatory bail filed by A3 is pending before the Hon'ble High Court of Madras and posted on 17.07.2020 and arrest of the accused is necessary.


5. The learned Public Prosecutor stated in his reply that A1 and defacto complainant are brothers, totally 5 accused in this case, A3 filed anticipatory bail application before the Hon'ble High Court of Madras and the same is pending, u/S.160 Cr.P.C.summon was issued to the defacto complainant, signature of document and individual to be send to the forensic lab and the investigation is not yet completed and

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strongly opposed for granting anticipatory bail.

6. On perusal of available records, the petitioners Counsel argued that the alleged occurrence took place on 11.09.2015 and FIR was registered on 02.07.2020 for the offence U/S.120(B), 406, 463, 465, 471 and 420 IPC and the petitioners are no way connected with the alleged offence and A4 is a senior citizen and A1 is the brother of the defacto complainant. Based on the order in CrI.O.P.No.8391/2020, the FIR has been registered. The reply of Police is that totally 2 Acre 68 cents of land belongs to defacto complainant and A1. The father is willing to equal share both the defacto complainant and A1 at the time of he was alive. The 4 and 5 are the witnesses in the Gift Deed. The Police issued summon u/S.160 Cr.P.C. to the defacto complainant. Further signature of document and individual to be send to the forensic lab and strongly opposed for granting anticipatory bail. Considering the reply given by the police and strong objection, this Court dismissed the petition.

Pronounced by me and sent through mail, this the 13th day of July, 2020.


Principal District and Sessions Judge,
Perambalur.