



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)
Monday, the Sixth day of July Two Thousand Fifteen
PRESENT

The Hon`ble Mr Justice K.KALYANASUNDARAM

CRL OP(MD) No.12271 of 2015

C.R. ANANDA KRISHNAN

... PETITIONER/ACCUSED-A7

Vs

STATE REP.BY
THE INSPECTOR OF POLICE
DISTRICT CRIME BRANCH,
MADURAI MADURAI DISTRICT,
CRIME NO.40/2015

... RESPONDENT/COMPLAINANT

VINOTH KUMAR

... INTERVENER IN MP(MD)NO.1/15
IN CRL OP(MD)NO.12271/15

For Petitioner : MR.GOPINATH, SENIOR COUNSEL for M/S.P.ANDIRAJ Advocate

For Respondent : MRS.S.PRABHA, Govt. Advocate (Crl. Side)

For Intervener : MR.V.KANNAN, Advocate

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

ORDER : The Court Made the following order :-

The petitioner, who is arrayed as A7, apprehends arrest at the hands of the respondent police for the alleged offence punishable under Sections 120B, 406, 468, 471 and 420 of I.P.C. in Crime No.40 of 2015 on the file of the respondent police and hence, seeks anticipatory bail.

2.The case of the prosecution is that the first accused, who was working as a Tahsildar got assignment in favour of benamis and ineligible, A2 to A4 on 24.02.1981 and thereafter, purchased the property in the name of his sons viz., A5 and A6 and thereafter, sold the same to A7.

3.Mr.Gopinath, learned Senior counsel appearing for the petitioner submitted that the surplus land was acquired by the Government under Land Ceiling Act and thereafter on 24.02.1984, the Government assigned the land in dispute in favour of A2 to A4 and as per the assignment, they had been in possession of the same and after a period of 16 years, A2 to A4 sold the land to A5 and A6 in December 2000. It is further submitted that since then A5 and A6 were in possession and enjoying the same, mutation in the revenue records has also taken place in the name of the purchasers and 14 years, thereafter A5 and A6 sold the land to M/s.Janhvi Motor Pvt. Ltd, in which the seventh accused is the Managing Director.

4.The learned counsel for the petitioner submitted that the petitioner is an innocent person and the property was purchased by the company based on the assignment made by the Government and registered the sale deed and he is nothing to do with the alleged offence.



5. Per contra, the learned counsel for the intervenor submitted that the Government had a proposal to construct additional building for the Government school in the land in dispute, which was known to the first accused, who was working as a Tahsildar in the area and he got assignment in the name of A2 to A4, who are not at all residing in that area and thereafter, purchased the land in favour of his own sons viz., A5 and A6. He further submitted that the property worth about Rs.3 crores and it has been sold to the company depriving the valuable rights of the General Public in the village.

6. The learned Government Advocate (Crl.side) would submit that the petitioner had purchased the property from A5 and A6 and they have cheated the local people. The learned counsel further submitted that this case was registered based on the complaint given by an Advocate.

7. Considering the facts and circumstances of the case, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions.

8. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on his appearance before the learned Judicial Magistrate No.I, Madurai and on 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 Magistrate concerned and on further condition that the petitioner shall appear before the respondent police daily at 10.00 a.m., until further orders. The petitioner shall comply with the condition stipulated under Section 438 Cr.P.C. scrupulously.

9. The petitioner 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/-
06/07/2015

/ TRUE COPY /

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

TO

- 1 THE JUDICIAL MAGISTRATE NO.I, MADURAI.
 - 2 DO-THRO' THE CHIEF JUDICIAL MAGISTRATE, MADURAI DISTRICT.
 - 3 THE INSPECTOR OF POLICE
DISTRICT CRIME BRANCH, MADURAI MADURAI DISTRICT.
 - 4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.
- +1. CC to M/S.P.ANDIRAJ Advocate SR.No.36429

ORDER
IN
CRL OP(MD) No.12271 of 2015
Date : 06/07/2015