



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Thursday, the Eighth day of January Two Thousand Fifteen

PRESENT

The Hon`ble Mr Justice P.N.PRAKASH

CRL OP (MD) No.16368 of 2014

1 SEKAR

2 BALU

..PETITIONERS/ACCUSED 1 & 2

Vs.

STATE REP.BY THE INSPECTOR OF POLICE
ANTI LAND GRABBING SPECIAL CELL, THENI,
THENI DISTRICT.

CR. NO. 43 OF 2014.

..RESPONDENT/COMPLAINANT

For Petitioner : M/S.RANJITH Advocate

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

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

ORDER : The Court Made the following order :-

Apprehending arrest at the hands of the respondent police in Crime No.43 of 2014 on the file of the respondent police for offences under Sections 379, 420, 467, 468, 471 and 506(i) of the Indian Penal Code, the petitioners are now before this Court seeking Anticipatory Bail.

2. It is represented that based on the direction of this Court in Crl.O.P.(MD) No.14675 of 2014, this case has been registered by the respondent police. On a reading of the complaint, it appears that the de-facto complainant is the owner of the property and he is also in possession of the property and that these petitioners had attempted to remove coconuts from the trees standing in the property and also attempted to create some documents. The complaint also does not disclose specifically what documents these petitioners had fabricated. Under such circumstances, I am inclined to grant anticipatory bail to the petitioners, but with conditions.

3. Accordingly, the petitioners are ordered to be released on bail, in the event of arrest or on their appearance before the learned Judicial Magistrate, (Anti Land Grabbing Special Court), Theni District, on their executing a 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 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) the petitioners shall report before the respondent police as and when required for interrogation.

[b] the petitioners shall not tamper with evidence or witness either during investigation or trial.

[c] the petitioners shall not abscond either during investigation or



[d] 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]**.

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sd/-
08/01/2015

/ TRUE COPY /

Sub-Assistant Registrar (C.S.)

TO

- 1 THE JUDICIAL MAGISTRATE, (LAND GRABBING SPECIAL COURT),
THENI DISTRICT.
- 2 -DO-THRO'THE CHIEF JUDICIAL MAGISTRATE, THENI.
- 3 THE INSPECTOR OF POLICE,ANTI LAND GRABBING SPECIAL CELL, THENI,
THENI DISTRICT.
- 4 THE ADDL.PUBLIC PROSECUTOR,MADURAI BENCH OF MADRAS HIGH COURT,MADURAI.

ORDER IN
CRL OP(MD) No.16368 of 2014
Date :08/01/2015

PBK 13/01/2015 ::2P-5C: