



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

Thursday, the Nineteenth day of March Two Thousand Fifteen

PRESENT

The Hon`ble Mr Justice P.N.PRAKASH

CRL OP(MD) No.17791 of 2014

WEB COPY

1 D.VIJAYA SINGH

2 V.SAROJINI

... PETITIONER / ACCUSED RANK NOT KNOWN

Vs

THE STATE REP.BY

THE INSPECTOR OF POLICE

ANTI LAND GRABBING SPECIAL UNIT, TIRUNELVELI

DISTRICT. CR. NO. NOT KNOWN OF 2014. ... RESPONDENT / COMPLAINANT

For Petitioner : M/S.R.ANAND Advocate

For Respondent : MR.A.P.BALASUBRAMANIAN, Govt. Advocate (Crl. Side)

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

ORDER : The Court Made the following order :-

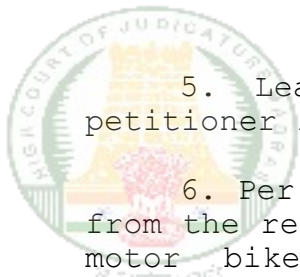
The petitioners, who apprehend arrest at the hands of the respondent police for the alleged offences punishable under Sections 465, 467, 468, 471 and 420 IPC, seek anticipatory bail.

2. Heard the learned counsel for the petitioners and the learned Government Advocate (Crl.Side) appearing for the State.

3. This Court granted interim anticipatory bail to these petitioners on 29.01.2015 with a direction to them to appear before the respondent police daily at 10:30a.m. for one week. Thereafter, the case was adjourned to 05.02.2105 and thereafter, the interim anticipatory bail was further extended upto 20.02.2015. Again on 23.02.2015, it was extended upto 02.03.2015. Subsequently on 02.03.2015, it was extended upto today.

4. Today, the respondent police have filed a status report, wherein in Paragraph No.6, it is stated as follows:

"6. It is submitted that this Hon'ble Court passed orders on 29.01.2015 directing the petitioners to appear before the respondent police every day at 10.30 a.m. for the period of one week. The petitioner Vijayasing moved a compromise by paying Rs.9,00,000/- to the defacto complainant Murugesan and attended Anti Land Grabbing Special Cell only on 30.01.2015 and promised to pay the balance amount on 02.02.2015, but Petitioner Vijayasingh did not stand upto his promise and gave a written statement that he would pay balance on 04.02.2015 and thereafter he has not complied with the order of the Hon'ble High Court. Subsequently, on the dates of hearing on 23.02.2015 and 02.03.2015, the Hon'ble High Court of Judicature passed orders consecutively directing the petitioners to appear before the respondent Police and the petitioners willfully neglected their appearance at Anti Land Grabbing Special Cell before the Respondent police."



5. Learned counsel for the petitioners submits that the first petitioner is a very aged person and he is not able to move.

6. Per contra, learned Government Advocate (Crl.Side) on instructions from the respondent police submits that the 1st petitioner is going by his motor bike every day crossing the respondent police station and therefore, the contention that he is very old, is not true.

7. At this juncture, learned counsel for the petitioners seeks permission of this Court to withdraw the petition. This Court has declined to give permission to the learned counsel for the petitioner to withdraw the petition, after having enjoyed the benefit of order, the petitioners cannot be permitted to withdraw this petition.

8. Taking into consideration the serious nature of allegations against these petitioners and also the fact that these petitioners have not complied with the orders of this Court, this Court is not inclined to grant anticipatory to them. Hence, the Criminal Original Petition is dismissed.

sd/-
19/03/2015

/ TRUE COPY /

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

TO

1.THE ADDL.PUBLIC PROSECUTOR
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

2.THE INSPECTOR OF POLICE
ANTI LAND GRABBING SPECIAL UNIT, TIRUNELVELI DISTRICT.

ORDER
IN
CRL OP(MD) No.17791 of 2014
Date :19/03/2015

rg.25.03.2015 2p/3c.