



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

Friday, the Twenty Fifth day of September Two Thousand Fifteen

PRESENT

The Hon`ble Mr Justice K.KALYANASUNDARAM

CRL OP(MD) No.18371 of 2015

M.VARATHARAJ

... PETITIONER/ACCUSED NO.2

Vs.

STATE REP.BY
THE INSPECTOR OF POLICE
ANTI LAND GRABBING SPECIAL CELL,
TRICHY DISTRICT.
(CR. NO.1 OF 2015)

... RESPONDENT/COMPLAINANT

For Petitioner : M/S B.JAMEEL ARASU Advocate
For Respondent : MRS.S.PRABHA,
Govt. Advocate (Crl. Side)

PETITION FOR ANTICIPATORY BAIL Under Sec. 438 Cr.P.C.
ORDER : The Court Made the following order :-

The petitioner apprehends arrest at the hands of the respondent police for the alleged offence punishable under Sections 120(b), 420, 447, 465, 468, 471 and 506(ii) I.P.C. in Crime No.1 of 2015 on the file of the respondent police and hence, seeks anticipatory bail.

2.According to the defacto complainant, he purchased the plot to an extent of 2100 sq feet by the Registered sale deed No.363 of 1994 and he had been in possession and enjoyment of the same. While so, the accused 1 and 2 by fabricating the documents, sold the property to the third respondent.

3.The learned counsel for the petitioner submitted that the property in dispute was originally owned by one Krishnan Ambalakaran and it was inherited by the petitioner's father and in respect of the same property, two civil suits in O.S.Nos. 835 of 2006 and 553 of 2005 are pending.

4. It is further submitted that in both suits, civil courts have granted interim order in their favour and the earlier complaint given by the defacto compliant before the Inspector of Police, Airport Police Station complainant in C.S.R.No. 89 of 2000 was enquired into and they were directed to approach the civil court for appropriate relief. It is further submitted that suppressing the earlier complaint, the case was registered based on the earlier directed given by this Court in Crl.O.P.No.17696 of 2015.



5. The learned Government Advocate(Crl.side)would submit that the first and third accused were granted anticipatory bail by this Court in Crl.O.P.No.2286 of 2015 and Crl.O.P.No.2268 of 2015.

6. Considering the facts and circumstances of the case,, this Court is inclined to grant anticipatory bail to the petitioner, with certain conditions. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on his appearance before the learned Judicial Magistrate Court, Anti Land Grabbing Special Court, Trichy, 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 10.30 a.m until further orders. The petitioner shall comply with the condition stipulated under Section 438 Cr.P.C. scrupulously.

7. 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/-
25/09/2015

/ TRUE COPY /

Sub-Assistant Registrar

TO

1 THE JUDICIAL MAGISTRATE,
ANTI LAND GRABBING SPECIAL COURT, TRICHY.

2 -DO- THRO' THE CHIEF JUDICIAL MAGISTRATE
TRICHY.

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

4 THE INSPECTOR OF POLICE
ANTI LAND GRABBING SPECIAL CELL,
TRICHY DISTRICT.

+1. CC to M/S B.JAMEEL ARASU Advocate SR.No.56654

Akm/30.09.2015 /2p-6c/

ORDER
IN
CRL OP(MD) No.18371 of 2015
Date :25/09/2015