



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Monday, the Nineteenth day of January Two Thousand Fifteen

PRESENT

The Hon`ble Mr Justice P.N.PRAKASH

CRL OP (MD) No.20028 of 2014

1 DHANUSHKODI
2 SARAVANAN
3 MURUGAN
4 VIJAYALAKSHMI
5 EASHWARI
6 SATHIYA

..PETITIONERS/ACCUSED
(RANK NOT KNOWN)

Vs.

STATE REP.BY THE INSPECTOR OF POLICE,
ANTI LAND GRABBING CELL, DINDIGUL,
DINDIGUL DISTRICT.
CR. NO.118/2014.

..RESPONDENT/COMPLAINANT

For Petitioner : M/S.N.SATHISH BABU 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 :-

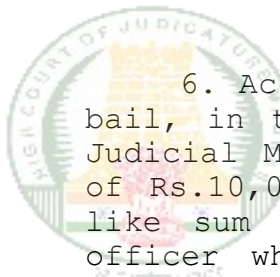
Apprehending arrest at the hands of the respondent police in Crime No.118 of 2014, on the file of the respondent police for offence under Sections 120(b), 417, 420, 465, 471 and 506(i) IPC, the petitioners are now before this Court seeking Anticipatory Bail.

2. The learned Additional Public Prosecutor submits that the petitioners 4 to 6 are not accused in this case.

3. The said submission of the learned Additional Government Pleader is recorded and this petition is closed as regards the petitioners 4 to 6.

4. The case in Crime No.118 of 2014 has been registered by the respondent police pursuant to the directions passed by the learned Judicial Magistrate, Nilakkottai under Section 156(3) Cr.P.C. It is the case of the defacto complainant that one Rajendran (A2) had sold the land in re-survey No.577/3 on 28.04.2009 knowing full well that he does not have the title to the said land. The said Rajendran is not the petitioner in this petition. The said Rajendran is the brother of Dhanushkodi (the first petitioner herein). Even in the complaint it is seen that Dhanushkodi had settled the land in re-survey No.577/3 in favour of his sons viz., Saravanan (petitioner No.2) and Murugan (petitioner No.3) as early as on 27.04.2005. In such circumstances, the defacto complainant has purchased the property only on 28.04.2009 and that too, from Rajendran (A2).

5. In view of the above, I am inclined to grant anticipatory bail to the petitioners 1 to 3, but with conditions.



6. Accordingly, the petitioners 1 to 3 are ordered to be released on bail, in the event of arrest or on their appearance before the learned Judicial Magistrate, Nilakkottai on 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 1 to 3 shall report before the respondent police as and when required for interrogation.

[b] the petitioners 1 to 3 shall not tamper with evidence or witness either during investigation or trial.

[c] the petitioners 1 to 3 shall not abscond either during investigation or trial.

[d] On breach of any of the aforesaid conditions, the learned Magistrate/Trial Court is entitled to take appropriate action against the petitioners 1 to 3 in accordance with law as if the conditions have been imposed and the petitioners 1 to 3 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].

sd/-

19/01/2015

/ TRUE COPY /

Sub-Assistant Registrar (C.S.)

TO

1 THE JUDICIAL MAGISTRATE, NILAKOTTAI, DINDIGUL DISTRICT.

2 -DO-THRO'THE CHIEF JUDICIAL MAGISTRATE, DINDIGUL.

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

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

+1. CC to M/S.N.SATHISH BABU Advocate SR.No.2091

ORDER IN

CRL OP(MD) No.20028 of 2014

Date :19/01/2015

PBK 20/01/2015 ::2P-6C: