



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

Friday, the Thirtieth day of October Two Thousand Fifteen

PRESENT

The Hon`ble Mr Justice K.KALYANASUNDARAM

CRL OP(MD) No.20426 of 2015

SUDALAIYANDI

... PETITIONER / ACCUSED NO.5

Vs

STATE REPRESENTED BY
THE INSPECTOR OF POLICE
DISTRICT CRIME BRANCH,
ANTI LAND GRABBING SPECIAL CELL,
THOOTHUKUDI,
THOOTHUKUDI DISTRICT.
(CRIME NO. 37 OF 2015)

... RESPONDENT / COMPLAINANT

FOR PETITIONER : M/S A.THIRUVADI KUMAR ADVOCATE
FOR RESPONDENT : GOVT. ADVOCATE (CRL. SIDE)
FOR INTERVENOR : M.SOLAISAMY ADVOCATE

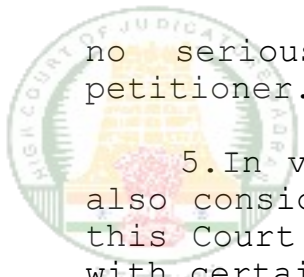
PETITION FOR ANTICIPATORY BAIL Under Sec. 438 Cr.P.C.

ORDER : The Court Made the following order :-

The petitioner, who is arrayed as A5 apprehends arrest at the hands of the respondent police for the alleged offences punishable under sections 120(b), 419, 420, 467, 468 and 471 of IPC, in Crime No.37 of 2015 on the file of the respondent police and hence, seeks anticipatory bail.

2.The case of the prosecution is that A1 to A4 without having any right over the properties in Patta Nos.557 and 575 in Aathiykurichi village, Thiruchendur Taluk to an extent of 24.955 Hectares, executed a power of attorney in favour of A5 by committing forgery and impersonation.

3.The learned counsel for the petitioner submitted that the petitioner is an innocent person and he has not committed any offence as alleged by the prosecution. The learned counsel further submitted that the petitioner/A5 is not aware of the allegations made against A1 to A4 and he is a bona fide power agent and he will not encumber or alienate the property till the conclusion of the criminal case. The learned counsel has also filed an undertaking affidavit of the petitioner, dated 30.10.2015.



no serious objection for granting anticipatory bail to the petitioner.

5. In view of the above facts and circumstances of the case and also considering the undertaking affidavit given by the petitioner, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions.

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6. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on his appearance before the learned Judicial Magistrate, Special Court for Land Grabbing Cases, Thoothukudi and on his 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 as and when required for interrogation. 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/-
30/10/2015

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

TO

1. THE JUDICIAL MAGISTRATE,
SPECIAL COURT FOR LAND GRABBING CASES, THOOTHUKUDI.
 2. DO THROUGH THE CHIEF JUDICIAL MAGISTRATE, THOOTHUKUDI.
 3. THE INSPECTOR OF POLICE,
DISTRICT CRIME BRANCH,
ANTI LAND GRABBING SPECIAL CELL,
THOOTHUKUDI, THOOTHUKUDI DISTRICT.
 4. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.
- +1. CC to M/S A. THIRUVADI KUMAR Advocate SR.No. 64303

ORDER
IN
CRL OP (MD) No.20426 of 2015
Date : 30/10/2015