



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

Tuesday, the First day of December Two Thousand Fifteen

PRESENT

The Hon`ble Ms.Justice V.M.VELUMANI

CRL OP(MD) No.22664 of 2015

S.K.VIDYANANTHA MOORTHY

... PETITIONER / ACCUSED No.4

Vs

1 THE STATE REP.BY

THE INSPECTOR OF POLICE

ANTI LAND GRABBING SPECIAL CELL, MADURAI ...1st RESPONDENT/COMPLAINANT

2 SRI.GIRIDHAR MANICKA

... 2ND RESPONDENT /

DEFACTO COMPLAINANT

For Petitioner : M/S K.M.RAGAVAN Advocate

For Respondent : M/S.K.Anbarasan Government Advocate (Crl. Side)

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

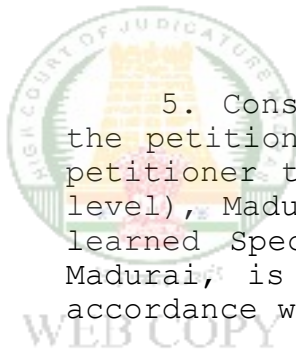
ORDER : The Court Made the following order :-

The petitioner/Accused No.4, who apprehends arrest at the hands of the respondent police for the alleged offences under Sections 120(b), 419, 469, 471 and 420 IPC, in C.C.No.2 of 2015, on the file of the Anti Land Grabbing Special Court (J.M. level), Madurai, seeks anticipatory bail.

2. The case of the prosecution is that originally the land in S.Nos.220/1 and 220/2, at Parambupatti Village, belonged to one M.S.Dhananjeyan. The de-facto complainant is the son of said M.S.Dhananjeyan. The said M.S.Dhananjeyan died on 31.12.2009. Thereafter, the de-facto complainant came to know that a forged sale deed, dated 19.11.2010, was created by A1 and A2 by impersonation, as if he is the father of the de-facto complainant. A3 and A4 are the attesting witnesses in the sale deed.

3. The learned counsel for the petitioner submitted that the petitioner is an innocent and he has not committed any offence as alleged by the prosecution and he has been falsely implicated in this case.

4. The learned Government Advocate (Crl. side) submitted that a charge sheet has been filed on 25.05.2015 and the same has been taken on file in C.C.No.2 of 2015 on the file of the Anti Land Grabbing Special Court (J.M. level), Madurai, and due to absence of the petitioner, a non-bailable warrant was issued against the petitioner on 08.07.2015 and hence, the petitioner may be directed to approach the concerned Court for recalling the warrant.



5. Considering the fact that non-bailable warrant was issued against the petitioner for his absence, there shall be a direction, directing the petitioner to surrender before the Anti Land Grabbing Special Court (J.M. level), Madurai, and to file a petition for recalling the warrant and the learned Special Court Judge for Anti Land Grabbing cases (J.M. level), Madurai, is directed to consider the same and pass orders on merits in accordance with law.

6. Accordingly, this petition is disposed of.

sd/-
01/12/2015

/ TRUE COPY /

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

TO

- 1 THE SPECIAL COURT JUDGE FOR ANTI LAND GRABBING CASES (JUDICIAL MAGISTRATE LEVEL), MADURAI.
- 2 DO THRO THE CHIEF JUDICIAL MAGISTRATE, MADURAI.
- 3 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.
- 4 THE INSPECTOR OF POLICE
ANTI LAND GRABBING SPECIAL CELL, MADURAI

+1. CC to M/S K.M.RAGAVAN Advocate SR.No.68987.

TS/03.12.2015/2P-6C/ NGM-SS/SAR - I

ORDER
IN
CRL OP(MD) No.22664 of 2015
Date :01/12/2015