



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

Monday, the Twenty First day of December Two Thousand Fifteen

PRESENT

The Hon`ble Mr Justice S.VAIDYANATHAN

CRL OP(MD) No.24340 of 2015

M.R.KANDHASAMY

..PETITIONER/ACCUSED No.5

Vs.

STATE REP.BY THE INSPECTOR OF POLICE
ANTI-LAND GRABBING CELL,
RAMANATHAPURAM.
(CRIME NO. 61 OF 2015)

..RESPONDENT/COMPLAINANT

For Petitioner : M/S R.PANDI MAHARAJA Advocate

For Respondent : Mr.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, who apprehend arrest at the hands of the respondent Police for the alleged offence punishable under Sections 419, 420, 423, 465, 468 and 471 r/w 120(b) IPC in Crime No.61 of 2015 on the file of the respondent Police, seeks anticipatory bail.

2.The case of the prosecution is that the de facto complainant was cheated by the petitioner and other accused by creating general power of attorney fraudulently by executing 3 sale deeds and thereby cheated the de facto complainant.

3.Heard the learned counsel appearing for the petitioner and the learned Government Advocate (Crl.side) appearing for the respondent.

4.The learned counsel for the petitioner submitted that the petitioner is ready to cancel the sale deeds with regard to the property in question in this complaint.

5.Considering the above, I am inclined to grant **interim anticipatory bail** to the petitioner. Accordingly, the petitioner is ordered to be released on **interim anticipatory bail** in the event of arrest or on his appearance, within a period of fifteen days from the date of receipt of a copy of this order, before the learned Judicial Magistrate No.I, Ramanathapuram, on condition that the petitioner shall execute 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 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 petitioner shall report before the respondent police daily at 10.30 am until further orders.

[b] the petitioner shall not tamper with evidence or witness either during investigation or trial.

[c] the petitioner shall not abscond either during investigation or trial.



[d] the petitioner is directed to cancel the sale deeds with regard to the property in question in this complaint on or before 11.01.2016.

[e] On breach of any of the aforesaid conditions, the learned Magistrate is entitled to take appropriate action against the petitioners in accordance with law as if the conditions have been imposed and the petitioners released on bail by the learned Magistrate himself as laid down by the Hon'ble Supreme Court in **P.K.Shaji vs. State of Kerala [(2005)AIR SCW 5560]**.

6.The Inspector of Police concerned is directed to send compliance report to the office of the learned Additional Public Prosecutor whether the petitioners are complying with the order or not.

7.The petitioners 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.

8.Post this matter on 11.01.2016 for compliance. The petitioner is directed to implead the five persons as party respondents from whom the complaint has been made.

sd/-
21/12/2015

/ TRUE COPY /

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

TO

1 THE JUDICIAL MAGISTRATE NO.I, RAMANATHAPURAM.

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

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

4 THE INSPECTOR OF POLICE, ANTI-LAND GRABBING CELL, RAMANATHAPURAM.

+1. CC to M/S R.PANDI MAHARAJA Advocate SR.No.75591

ORDER IN
CRL OP(MD) No.24340 of 2015
Date :21/12/2015

PBK/SK-SKN/SAR-I 22/12/2015 ::2P-6C::