



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

Thursday, the Twelfth day of March Two Thousand Fifteen

PRESENT

WEB COPY

The Hon`ble Mr Justice P.N.PRAKASH

CRL OP(MD) No.4603 of 2015

1 TAMILNESAN

2 BALAKUMAR

... PETITIONERS/ ACCUSED Nos.12 & 13

Vs

THE STATE REP.BY
THE INSPECTOR OF POLICE,
DISTRICT CRIME BRANCH,
THANJAVUR, THANJAVUR DISTRICT.
(CRIME NO.35 OF 2014)

... RESPONDENT/ COMPLAINANT

For Petitioner : M/S.K.ANUSHIYA Advocate

For Respondent : M/S.A.P.BALASUBRAMANIAN, Govt. Advocate (Crl.Side)

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

ORDER : The Court Made the following order :-

The petitioners, who apprehend arrest at the hands of the respondent police for the alleged offences punishable under Sections 120, 415, 463, 464, 467, 471, 477(A) and 420 r/w 511 of Indian Penal Code, in Crime No.35 of 2014, on the file of the respondent police, seek anticipatory bail.

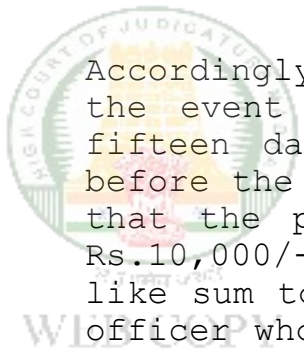
2. The respondent police is present. Heard the learned counsel for the petitioners and the learned Government Advocate (Criminal side) for the respondent.

3. The case of the prosecution is that the land in question belongs to Kasi Viswanathar Temple, Sillathur Village. While so, these petitioners along with the other co-accused in this case, in order to grab the land, had registered four settlement deeds and created encumbrance in the said property.

4. The learned counsel for the petitioners submitted that the petitioners have executed four cancellation deeds on 05.12.2014, canceling the earlier settlement deeds. In Crl.O.P.(MD)Nos.23820 and 23821 of 2014, this Court has granted anticipatory bail to the co-accused in this case on the ground that they have cancelled the settlement deeds.

<https://hcservices.ecourts.gov.in/hcservices/>

5. Under such circumstances, this Court is of the view that it is a fit case to grant anticipatory bail to the petitioners.



Accordingly, the petitioners are ordered to be released on bail in the event of arrest or on their 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, Thanjavur, on condition that the petitioners shall execute 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 shall report before the respondent police daily at 06:30 p.m., for a period of two weeks and thereafter, as and when required for interrogation.

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

[c] the petitioners 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 in accordance with law as if the conditions have been imposed and the petitioners 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]**.

[e] The Inspector of Police concerned is directed to send a compliance report to the Office of the learned Government Advocate (Criminal side), whether the petitioners are complying with the order or not.

sd/-

12/03/2015

/ TRUE COPY /

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

TO

- 1 THE JUDICIAL MAGISTRATE NO.I, THANJAVUR.
- 2 -DO-THRO' THE CHIEF JUDICIAL MAGISTRATE, THANJAVUR @ KUMBAKONAM.
- 3 THE INSPECTOR OF POLICE, DISTRICT CRIME BRANCH, THANJAVUR, THANJAVUR DISTRICT.
- 4 THE ADDITIONAL PUBLIC PROSECUTOR, MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1. CC to M/S.K.ANUSHIYA, Advocate SR.No.12303.