



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

Monday, the Twenty Seventh day of April Two Thousand Fifteen
PRESENT

The Hon`ble Mr Justice K.KALYANASUNDARAM

CRL OP(MD) No.5561 of 2015

WEB COPY

1 MUSTAFA
2 A.BABU @ AHAMED
3 HERUNNISSA
4 MEHATAJ BEGUM
5 M.MAQBOOL BASHA
6 NOORNISSA

... PETITIONERS/A12,13,14,15,16
... PETITIONER/ACCUSED(RANK NOT KNOWN)

Vs

STATE REP.BY
THE INSPECTOR OF POLICE
ANTI LAND GRABBING SPECIAL CELL,
TRICHY CITY,
CR. NO.2/2015.

... RESPONDENT/COMPLAINANT

For Petitioner : M/S.B. JAMEELARASU Advocate

For Respondent : MR.A.P.BALASUBRAMANI, Govt. Advocate (Crl. Side)

For Intervenor : MR.K.M.KARUNAKARAN, Advocate

PETITION FOR ANTICIPATORY BAIL Under Sec. 438 Cr.P.C.
ORDER : The Court Made the following order :-

The petitioners, who are arrayed as accused Nos.12, 13, 14, 15 and 16, apprehend arrest at the hands of the respondent police for the alleged offence punishable under Sections 120(b), 420, 447, 465, 468, 471 and 506(ii) of I.P.C., in Crime No.2 of 2015 on the file of the respondent police and hence, seek anticipatory bail.

2. Heard the learned counsel for the petitioners, the learned Government Advocate (Crl.side) and the learned counsel for the intervenor.

3. It is seen that these petitioners herein purchased the subject property from Thameesudeen (A1) on 28.02.2008. According to the de facto complainant, the property does not belong to Thameesudeen and he has created some bogus documents as if he is the owner of the property. On the contrary, it is the assertion of the petitioners that the property belongs to Thamsudeen, since he has obtained possession through Court by proceedings. While so, the de facto complainant has purchased the property on 15.03.2012 from one Natesan Chettiar.



According to the de facto complainant, Natesan Chettiar is the rightful owner of the property and Thameesudeen (A1) is not the owner of the property. As far as these petitioners are concerned, they have purchased the property even prior to the purchase of the property by the de facto complainant. Therefore, the de-facto complainant cannot plead that he was not aware of that and the encumbrance certificate of the property will disclose the purchase by these petitioners.

4. Under those circumstances, this Court is inclined to grant anticipatory bail to the petitioners with certain conditions. Accordingly, the petitioners are ordered to be released on bail in the event of arrest or on their appearance before the learned Judicial Magistrate No.III, Trichy and on each of them 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 petitioners shall appear before the respondent police daily at 10.30 a.m. for a period of two weeks and thereafter as and when required. The petitioners shall comply with the condition stipulated under Section 438 Cr.P.C. scrupulously.

5. 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.

sd/-
27/04/2015

/ TRUE COPY /

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

TO

- 1 THE JUDICIAL MAGISTRATE NO.III, TRICHY.
 - 2 DO-THRO' THE CHIEF JUDICIAL MAGISTRATE, TRICHY.
 - 3 THE INSPECTOR OF POLICE
ANTI LAND GRABBING CELL, TRICHY CITY.
 - 4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.
- +1. CC to M/S.B. JAMEELARASU Advocate SR.No.23617

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

ORDER IN
CRL OP(MD) No.5561 of 2015
Date :27/04/2015

PA/04.05.2015/2P/6C