



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

Friday, the Sixteenth day of December Two Thousand Sixteen

PRESENT

WEB COPY

**The Hon`ble Mr.Justice A.M.BASHEER AHAMED**

CRL OP(MD) No.16585 of 2016

T.JOHNSON

..PETITIONER/ACCUSED No.3

Vs.

STATE REP.BY  
THE INSPECTOR OF POLICE  
DISTRICT CRIME BRANCH (ALGSC)  
TUTICORIN, TUTICORIN DISTRICT.  
(CRIME NO.6/2016)

..RESPONDENT/COMPLAINANT

For Petitioner : M/S.D.GEETHA, Advocate

For Respondent : MR.P.KANDASAMY, Government Advocate(Crl.Side)

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

**ORDER :** The Court Made the following order :-

The petitioner, who apprehends arrest at the hands of the respondent police for the alleged offence punishable under Sections 419, 465, 468, 471 and 420 of I.P.C in Crime No.6 of 2016 on the file of the respondent police, seek anticipatory bail.

2.Heard the learned counsel appearing for the petitioners and the learned Government Advocate(Crl. Side) appearing for the respondent/State.

3. The learned Government Advocate(Crl. Side) on instructions would submit that there are totally five accused in this case. He further submitted that A-2 himself impersonated as one Mr.John Thambiraj and executed a sale agreement in favour of A-1, who in turn sold the property to A-3 for valuable sale consideration. He further submitted that though the petitioner claims that he is the bonafide purchaser of the subject property for a valid sale consideration, according to the defacto complainant, he has not executed any deed to anybody in respect of the subject property.

4. Considering the facts and the circumstances of the case and also considering the fact that the charge against the petitioner is based on records, this Court is inclined to grant anticipatory bail to the petitioner. Accordingly, the interim anticipatory bail already granted to the petitioner on 22.11.2016, is made absolute on the following conditions:



[a] the petitioner shall appear before the respondent police, daily at 10.30 a.m., until further orders.

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

[d] the petitioners shall not abscond either during investigation or trial.

[e] 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]**.

sd/-

16/12/2016

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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, TUTICORIN.
- 2 -DO-THRO' THE CHIEF JUDICIAL MAGISTRATE, TUTICORIN,
- 3 THE INSPECTOR OF POLICE, DISTRICT CRIME BRANCH (ALGSC), TUTICORIN DISTRICT.
- 4 THE ADDL.PUBLIC PROSECUTOR, MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

ORDER IN  
CRL OP(MD) No.16585 of 2016  
Date :16/12/2016

msm-gsv-pm/sar2/21.12.16/p2/5c