



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

Friday, the Sixteenth day of December Two Thousand Sixteen
PRESENT

The Hon`ble Mr.Justice A.M.BASHEER AHAMED
CRL OP(MD) No.18492 of 2016

1 A.P.N. PITCHAI LEPPAI

2 P.RAIGANA BEGUM @ RAIGAN

... PETITIONERS/ACCUSED Nos.1 & 2

Vs

STATE REPRESENTED BY ,

1 THE INSPECTOR OF POLICE,
KODAIKANAL POLICE STATION,
DINDIGUL DISTRICT
CRIME NO. 381 OF 2016

2 ABBAS ALI

(R2 IMPLEAD AS PER ORDER OF THIS
HONOURABLE COURT MADE IN
CRL MP(MD)No.11542/16 in
CRL OP(MD)No.18492/16
DATED 23.11.2016 BY SVNJ)

... RESPONDENT/COMPLAINANT

For Petitioner : M/S.C.VAKEESWARAN Advocate

For Respondent : MRS.S.PRABHA, Govt. Advocate (Crl. Side)

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

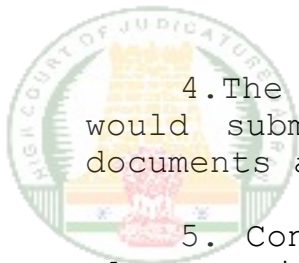
ORDER : The Court Made the following order :-

The petitioners, who apprehend arrest at the hands of the respondent police for the alleged offence punishable under Sections 406, 420, 468, 467, 470, 471, 506(i) and 120(b) of I.P.C in Crime No.263 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 first respondent/State. The second respondent is absent today though notice was served on him.

3. The learned Government Advocate(Crl. Side) on instructions would submit that there is a dispute in respect of change of patta, which is said to be obtained based on forged records by the petitioners herein.

4. The learned counsel for the petitioners submitted that Survey No.378/B as claimed by the defacto complainant in this case, does not relates to T.S.No.20, which was sub-divided and for which, patta was also issued to the petitioners and the allegation made in the complaint is not true. He further submitted that earlier, this Court granted interim anticipatory bail vide order, dated 29.09.2016 and thereafter, the same has been periodically extended.



4.The learned Government Advocate(Crl. Side) on instructions would submit that the petitioners are said to have forged the documents and obtained patta in favour of them.

5. 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 petitioners. Accordingly, the interim anticipatory bail already granted to the petitioners on 29.09.2016, is made absolute on the following conditions:

[a] the petitioners 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

/ TRUE COPY /

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

TO

1 THE DISTRICT MUNSIF CUM JUDICIAL MAGISTRATE,
KODAIKANAL, DINDIGUL DISTRICT.

2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE, DINDIGUL.

3 THE INSPECTOR OF POLICE,
KODAIKANAL POLICE STATION, DINDIGUL DISTRICT

4 THE ADDITIONAL PUBLIC PROSECTUOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1. CC to M/S.C.VAKEESWARAN Advocate SR.No.81362

PM

CSL/GSV-PM/SAR-III/19.12.2016: 2P/6C

ORDER

IN

CRL OP(MD) No.18492 of 2016

Date :16/12/2016