



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

Monday, the Twentieth day of August Two Thousand Eighteen

PRESENT

WEB COPY

The Hon`ble Mr.Justice G.K.ILANTHIRAIYAN

CRL OP(MD) No.14269 of 2018

S.JEEVANANDHAM@JEEVA

... PETITIONER / ACCUSED NO.7

Vs

THE STATE REP.BY,
THE INSPECTOR OF POLICE
VIRALIMALAI POLICE STATION,
PUDUKKOTTAI DISTRICT
(CRIME NO.338 OF 2016)

... RESPONDENT / COMPLAINANT

For Petitioner : M/S.R.PON KARTHIKEYAN Advocate

For Respondent : Mr.V.NEELAKANDAN ADDITIONAL PUBLIC PROSECUTOR

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

ORDER : The Court Made the following order :-

The petitioner apprehends arrest at the hands of the respondent police for the offences punishable under Sections 120(b), 419, 420, 465, 468, 471, 294(b), 323, 109 and 506(ii) I.P.C. in Crime No.338 of 2016, seeks anticipatory bail.

2.The case of the prosecution is that the first accused has suppressed the other legal heirs and obtained patta in his favour with the help of the petitioner herein and other revenue official. Subsequently, he sold out the ancestral property to the second accused. Hence, the complaint.

3.The learned counsel appearing for the petitioner would submit that the entire allegations as against the first accused and the alleged transfer of patta subsequently cancelled by the Revenue Divisional Officer by order dated 4.11.2016 and thereby restored the original patta. The petitioner was not the patta issuing authority. The entire issue was a pure civil dispute and the petitioner has no role in the alleged patta transfer. He further submitted that the petitioner is an innocent. He did not commit any offence as alleged by the prosecution. Hence, he prays for anticipatory bail to the petitioner.

4.The learned Additional Public Prosecutor appearing for the respondent would submit that the investigation is still pending.



5.It is seen from the records that no documents have been filed by the defacto complainant as well as the first accused to prove their title and as such the Revenue Divisional Officer directed them to approach the appropriate forum to get relief in respect of title over the property. Further, it is seen that the patta issued in favour of the first accused was cancelled and the original possession was restored by order dated 04.11.2016 by the Regional Divisional Officer. This Court had already granted anticipatory bail to Accused Nos.1 to 4 by order dated 15.12.2016 in CrI.O.P(MD). No.22566 of 2016.

6.Considering all these aspects, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on his appearance before the learned Judicial Magistrate, Keeranur and on his 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 petitioner shall appear before the respondent police as and when required for interrogation. The petitioner shall comply with the conditions stipulated under Section 438 Cr.P.C. scrupulously.

7.The petitioner 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 shall stand dismissed.

sd/-
20/08/2018

/ TRUE COPY /

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

TO

- 1 THE JUDICIAL MAGISTRATE, KEERANUR.
- 2 -DO- THRO THE CHIEF JUDICIAL MAGISTRATE, PUDUKOTTAI.
- 3 THE INSPECTOR OF POLICE
VIRALIMALAI POLICE STATION,
PUDUKKOTTAI DISTRICT
- 4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1. CC to M/S.R.PON KARTHIKEYAN Advocate SR.No.15800

ORDER

IN

CRL OP(MD) No.14269 of 2018

Date :20/08/2018