



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

Wednesday, the Twenty Fourth day of October Two Thousand Eighteen

PRESENT

WEB COPY

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

CRL OP(MD) No.16507 of 2018

1 THANGA MARI
2 VELUSAMY

... PETITIONERS / ACCUSED NO.2 & 3

Vs

THE STATE REP.BY
THE INSPECTOR OF POLICE
DCB (A.L.G.) POLICE STATION, TIRUNELVELI,
TIRUNELVELI DISTRICT.
(IN CRIME NO. 29 OF 2018)

... RESPONDENT / COMPLAINANT

For Petitioners : Mr.F.X.EUGENE Advocate

For Respondent : Mr.A.P.G.OHM CHAIRMA PRABHU Govt. Advocate
(Crl. Side)

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

ORDER : The Court Made the following order :-

The petitioners apprehend arrest at the hands of the respondent police for the offences punishable under Sections 467, 468, 471 and 506(i) of I.P.C and pending before the Special Judicial Magistrate Court (Anti Land Grabbing Cases), Tirunelveli, in Crime No.29 of 2018, seek anticipatory bail.

2.The case of the prosecution is that the de-facto complainant's mother purchased the property in S.No.304/52 an extent of 28 cents and S.No.304/54 an extent of 1 acre 16 cents from the 1st accused. Thereafter the 1st accused sold the same property to the 2nd accused in the year 2003 and in turn the 2nd accused settled the said property in the year 2016. All the accused jointly forged and fabricated the false documents for cheating the de-facto complainant. Hence, the complaint.

3.The learned counsel appearing for the petitioners would submit that the 1st accused sold the property in favour of the 2nd accused, namely, the 1st petitioner herein. Thereafter, the 1st petitioner settled the property in the year 2016 in favour of the 2nd petitioner. The said property purchased by the 2nd accused is a completely different one from the property purchased by the de-facto complainant's mother. Therefore, the respondent without even understanding the allegations as against them mechanically



registered an FIR. Hence, he prays for grant anticipatory bail to the petitioners.

4.The learned Government Advocate (Crl. side) submitted that the investigation is pending.

5.Taking note of the facts and 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 Special Judicial Magistrate Court (Anti Land Grabbing), Tirunelveli, and on their executing a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) each 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 for interrogation. The petitioners shall comply with the conditions stipulated under Section 438 Cr.P.C. Scrupulously.

6.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 shall stand dismissed.

sd/-

24/10/2018

/ TRUE COPY /

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

TO

- 1 THE JUDICIAL MAGISTRATE (ANTI LAND GRABBING)
TIRUNELVELI.
- 2 THE CHIEF JUDICIAL MAGISTRATE, TIRUNELVELI.
- 3 THE INSPECTOR OF POLICE
DCB (A.L.G.) POLICE STATION,
TIRUNELVELI,
TIRUNELVELI DISTRICT.
- 4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1. CC to M/S.F.X.EUGENE Advocate SR.No.91459
PS/PN/SAR-1:30/10/2018:2P/6C

ORDER

IN

CRL OP (MD) No.16507 of 2018

Date :24/10/2018