

IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Wednesday, the Twelfth day of June Two Thousand Nineteen

PRESENT

The Hon`ble Mr Justice M.DHANDAPANI

CRIMINAL ORIGINAL PETITION No.12801 of 2019

VELU

[PETITIONER / ACCUSED]

Vs

STATE REP. BY

[RESPONDENT]

THE INSPECTOR OF POLICE,
DISTRICT CRIME BRANCH,
KANCHEEPURAM DISTRICT.
(CR.NO.27 OF 2018)

For Petitioner : M/S.T.MURUGANANTHAM Advocate

For Respondent : MR.T.P.SAVITHA , Govt. Advocate (CrI. 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 under Sections 468, 471, 420, 423 r/w 34 of I.P.C. in Cr.No.27 of 2018 on the file of the respondent police, seeks anticipatory bail.

2.The case of the prosecution is that the defacto complainant is in charge of 'Ambalavanan Araporupu Aayam' a Trust established for the purpose of providing free education and shelter to the students. Many persons have donated their lands to the said Trust and the derives from the said lands were used for the expenses of the Trust. The accused are alleged to have created bogus document and developed the said lands into plots and sold to different persons. The allegations against the petitioner is that he acted as a broker and brought prospective purchasers to purchase the plots.

3.The learned counsel appearing for the petitioner would submit that the petitioner has not committed any offence as alleged by the prosecution and he has been falsely implicated in this case. He would further submit that initially, the petitioner was not arrayed as an accused, however, he was subsequently arrayed as A12 based on the confession statement given by the co-accused. He would further submit that the co-accused were already granted anticipatory bail by this Court.

4.The learned Government Advocate fairly conceded that the co-

accused were already granted anticipatory bail by this Court in Crl.O.P.No.27233 of 2018 on 05.12.2018.

5.Considering the fact that the co-accused have already been granted anticipatory bail by this Court, this Court is inclined to grant anticipatory bail to the petitioner.

6.Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on his appearance, within a period of fifteen days from the date of receipt of a copy of this order, before the learned Judicial Magistrate, Sriperumbadur, on condition that the petitioner shall execute 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 respondent police or the police officer who intends to arrest or to the satisfaction of the learned Magistrate concerned and on further condition that:

(a)the petitioner and the sureties shall affix their photographs and left thumb impression in the surety bond and the Court concerned may obtain a copy of their Aadhar card or Bank pass Book to ensure their identity;

(b)the petitioner shall report before the Investigating Officer/Sub-Inspector of Police, Land Grabbing Special Cell, Kancheepuram, daily at 10.30 a.m. until further orders;

(c)the petitioner shall not tamper with evidence or witness either during investigation or trial;

(d)the petitioner 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 petitioner in accordance with law as if the conditions have been imposed and the petitioner 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]**; and;

(f)if the accused thereafter absconds, a fresh FIR can be registered under Section 229-A IPC.

-sd/-

12/06/2019

This order, on being produced, be punctually observed and carried into execution by all concerned

TRUE COPY

Sub-Assistant Registrar (Statistics/C.S.)
High Court, Madras - 600 104.

TO

1 THE JUDICIAL MAGISTRATE,
SRIPERUMBADUR

2 THE CHIEF JUDICIAL MAGISTRATE
CHENGALPATTU[FOR INFORMATION]

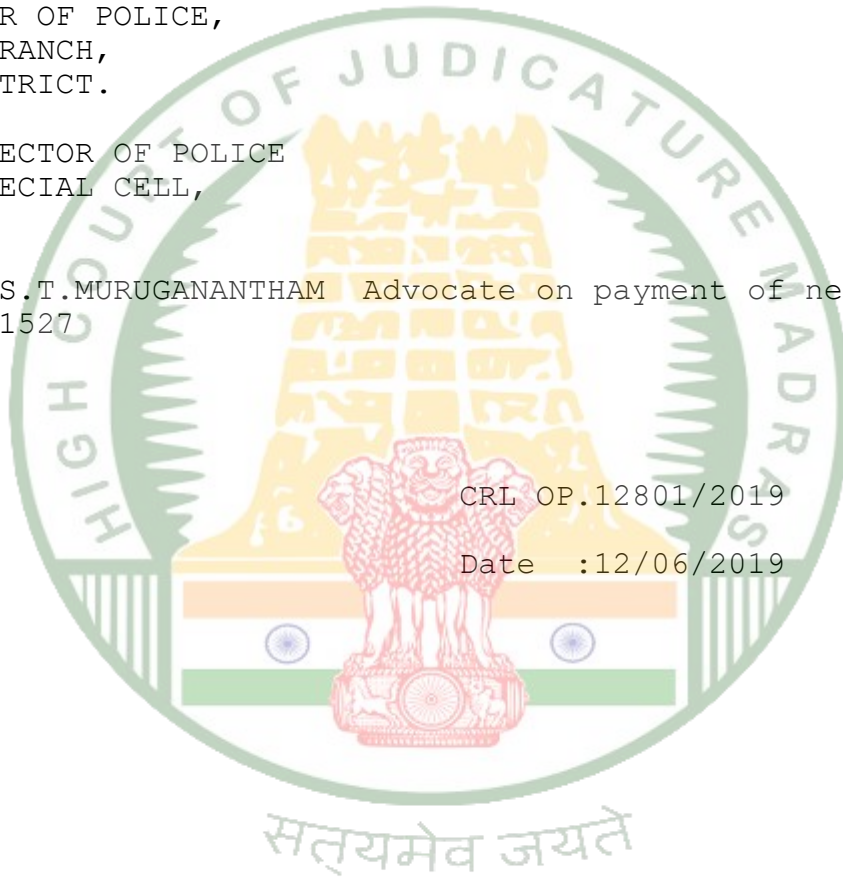
3 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

4 THE INSPECTOR OF POLICE,
DISTRICT CRIME BRANCH,
KANCHEEPURAM DISTRICT.

5 THE SUB INSPECTOR OF POLICE
LAND GRABBING SPECIAL CELL,
KANCHEEPURAM

+1 CC to M/S.T.MURUGANANTHAM Advocate on payment of necessary
charges SR.NO. 11527

RD 14/06/2019



CRL OP.12801/2019

Date :12/06/2019

WEB COPY