



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

Tuesday, the Eighth day of January Two Thousand Nineteen

PRESENT

The Hon`ble Mr.Justice M.NIRMAL KUMAR

CRL OP(MD) No.107 of 2019

DHARSINI

... PETITIONER / ACCUSED No. 2

Vs

THE STATE REP. BY,
THE INSPECTOR OF POLICE,
DISTRICT CRIME BRANCH,
ANTI LAND GRABBING SPECIAL CELL,
TIRUCHIRAPPALLI DISTRICT.
(CRIME NO.3 OF 2016)

... RESPONDENT / COMPLAINANT

For Petitioner : MR.M.KARUNANITHI Advocate

For Respondent : MR.K.SUYAMBULINGA BHARATHI
Govt. Advocate (Crl. Side)

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

ORDER : The Court Made the following order :-

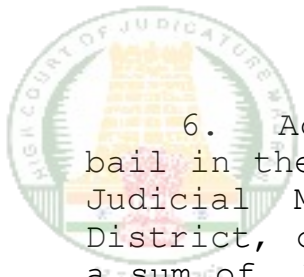
The petitioner, who apprehends arrest at the hands of the respondent police for the alleged offences punishable under Sections 120(b), 419, 420, 465, 467, 468 and 471 IPC in Cr.No.3 of 2016 seeks anticipatory bail.

2. The case of the prosecution is that the petitioner has fraudulently created the bogus documents as if he is the owner of the property and executed a sale deed. Hence the complaint.

3. The learned counsel appearing for the petitioner would submit that the petitioner was already granted anticipatory bail by this Court in Crl.O.P(MD)No.2579 of 2018 dated 19.02.2018. since the petitioner did not execute sureties within the stipulated time, this petition has been filed.

4. The learned Government Advocate (Criminal Side) would submit that the petitioner was already granted anticipatory bail in Crl.O.P (MD)No. 2579 of 2018 dated 19.02.2018.

5. Taking into consideration the facts of the case and the submissions made by learned counsel, this Court 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 her appearance, before the learned Judicial Magistrate, Anti Land Grabbing Special Court, Trichy District, 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 said Magistrate, on further conditions that:

[a] if the petitioner fails to surrender before the said Magistrate within a period of fifteen days, this Order shall stand automatically cancelled.

[b] the petitioner shall report before the respondent police as and when required for interrogation.

[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]**.

[f] If the accused thereafter absconds, a fresh FIR can be registered under Section 229-A IPC.

sd/-

08/01/2019

/ TRUE COPY /

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

TO

1 THE JUDICIAL MAGISTRATE,
ANTI LAND GRABBING SPECIAL COURT, TRICHY DISTRICT

2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE
TIRUCHIRAPPALLI DISTRICT.

3 THE INSPECTOR OF POLICE,
DISTRICT CRIME BRANCH,
ANTI LAND GRABBING SPECIAL CELL,
TIRUCHIRAPPALLI DISTRICT.

4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI

+1. CC to MR.M.KARUNANITHI Advocate SR.No.497

ORDER IN

CRL OP(MD) No.107 of 2019

Date :08/01/2019