



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

Tuesday, the Fifth day of February Two Thousand Nineteen

PRESENT

The Hon`ble Mr.Justice M.DHANDAPANI

CRL OP(MD) Nos.1392 & 1478 of 2019

1.VIJAYARATHINA GOPAL
2 BASKARAN

... PETITIONERS / A2 & A7
IN CRL OP(MD).NO.1392 OF 2019

1.RAVI
2.RAVICHANDRAN

... PETITIONERS/ACCUSED NOS. 8 & 9
IN CRL OP(MD).NO.1478 OF 2019

Vs

THE STATE REP.BY
THE INSPECTOR OF POLICE
ANTI LAND GRABBING SPECIAL CELL,
DISTRICT CRIME BRANCH,
THENI DISTRICT
(CRIME NO.1/2019)

... RESPONDENT / COMPLAINANT
IN CRL OP(MD).NO.1392 OF 2019

THE STATE REP.BY
THE INSPECTOR OF POLICE
DISTRICT CRIME BRANCH,
THENI DISTRICT
(CRIME NO.1/2019)

... RESPONDENT / COMPLAINANT
IN CRL OP(MD).NO.1478 OF 2019

For Petitioner : MR.C.JEGANATHAN, Advocate for
M/S.VEERA ASSOCIATES Advocate
IN CRL OP(MD).NO.1392 OF 2019

: MR.C.SUSIKUMAR, Advocate,
IN CRL OP(MD).NO.1478 OF 2019

For Respondent : MR.S.CHANDRASEKAR,
Additional Public Prosecutor
in both petitions



ORDER : The Court Made the following order :-

The petitioners, who apprehend arrest at the hands of the respondent police for the alleged offences under Sections 420, 465, 468 and 471 of I.P.C., in Cr.No.1 of 2019 on the file of the respondent police, seek anticipatory bail.

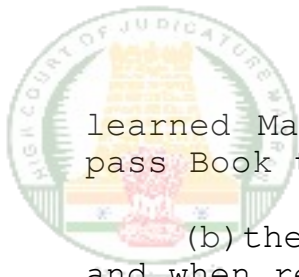
2.It is the case of the prosecution that one Karuppayi gave a complaint before the respondent police alleging that she and her daughters are in possession of the disputed land. In the year 1931, 'A' schedule property was allotted to one Kamathevar and 'B' schedule property was allotted to one Chinnaveerathevar. It is further alleged that one of her ancestor namely, Chinniveerathevar sold the same property to one Veerammal on 30.05.1967, who is the daughter of Kamathevar. Thereafter, the said Veerammal conveyed the property in favour of A2 and A2 conveyed the property in favour of A3 and A3 conveyed the property in favour of A4 and A4 conveyed the property in favour of A6 and A6 conveyed the property in favour of A7 and A8. The daughter-in-law of Kamathevar filed a complaint in respect of 'B' schedule property and Chinnaveerathevar had executed a sale deed in respect of 'A' schedule property in favour of one Veerammal, who is none other than his own sister-in-law and the petitioners and other accused were continuously trying to grab the property of the defacto complainant by creating forged sale deeds. Hence, the complaint.

3.The learned counsel appearing for the petitioners would submit that the petitioners / A2, A7 and A8 are the subsequent purchasers, who purchased the property from one Veerammal, the sister-in-law of the defacto complainant and the dispute is purely civil in nature and the petitioners did not commit any offence as alleged by the prosecution.

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

5.Considering the facts and circumstances of the case, the petitioners are ordered to be released on bail in the event of arrest or on their appearance, within a period of fifteen days from the date of receipt of a copy of this order, before the learned Judicial Magistrate, Special Courts for Land Grabbing, Theni, on condition that the petitioners 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 / Judge concerned and on further condition that:

(a) the petitioners and the sureties shall affix their photographs and left thumb impression in the surety bond and the



learned Magistrate may obtain a copy of their Aadhar card or Bank pass Book to ensure their identity;

(b) the petitioners shall report before the respondent police as and when required for the purpose of interrogation;

(c) 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]**; and;

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

sd/-
05/02/2019

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

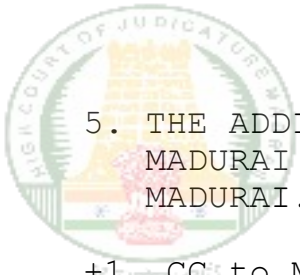
TO

1. THE JUDICIAL MAGISTRATE,
SPECIAL COURTS FOR LAND GRABBING,
THENI.

2. DO THRO' THE CHIEF JUDICIAL MAGISTRATE,
THENI DISTRICT.

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

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



5. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.

+1. CC to M/S.VEERA ASSOCIATES Advocate SR.No.2399

+1. CC to MR.C.SUSIKUMAR, Advocate SR.No.2502

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ORDER

IN

CRL OP(MD) Nos.1392 & 1478 of 2019

Date :05/02/2019

AE/PN/SAR2/08.02.2019/4P/8C