



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

Tuesday, the Twenty Ninth day of January Two Thousand Nineteen

PRESENT

**The Hon`ble Mr.Justice M.NIRMAL KUMAR**

**CRL OP(MD) No.903 of 2019**

S.RAVICHANDRAN

... PETITIONER / ACCUSED No. 2

Vs

THE INSPECTOR OF POLICE  
THIRUVADANAI POLICE STATION,  
RAMANATHAPURAM DISTRICT  
(CRIME NO.146/2018)

... RESPONDENT / COMPLAINANT

For Petitioner : MR.C.MUTHUSARAVANAN 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 offences punishable under Sections 420, 468, 471 and 506(ii) of IPC in Crime No.146 of 2018 seeks anticipatory bail.

2. The case of the prosecution is that the de facto complainant had two daughters and one son. Her husband passed away before 24 years leaving the ancestral property. After the demise of her husband, the de facto complainant was in possession and enjoyment of the land. On 19.08.2018 at about 06.00 p.m., the petitioner and other accused entered into the land the threatened the de facto complainant with dire consequence as if they have purchased the land. Hence, the complaint.

3.The learned counsel for the petitioner would submit the petitioner purchased the property by way of sale deed registered vide Document No.951 of 2018 on 18.09.2018. Thereafter, when the petitioner wanted to conduct survey, the de facto complainant has objected. At that point of time the petitioner came to know that the de facto complainant and other legal heirs have not relinquished their right over the property. A-1 had sold the property to the petitioner as his inherited property without any hindrance. The petitioner had made an enquiry and found that A-1 had sold the property by fraudulent act. Thereafter, the petitioner had



cancelled the sale deed on 28.09.2018 vide Document No.990 of 2018 and further the property was re-conveyed to the de facto complainant. He further submitted that the petitioner is an innocent and he has not committed any offence and in this case co-accused has already been granted with anticipatory bail.

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4.The learned Government Advocate (Crl.side) would submit that investigation is pending and he confirms that the earlier sale deed has been cancelled.

5.Taking into consideration the facts of the case and the submissions by learned counsel on either side, 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, Thiruvadanai 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 said Magistrate, on further condition that:

[a] if the petitioner fail 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 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 abscond, a fresh FIR can be registered under Section 229-A IPC.

sd/-  
29/01/2019

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



TO

1 THE JUDICIAL MAGISTRATE  
THIRUVADANAI, RAMANATHAPURAM DISTRICT

2 THE CHIEF JUDICIAL MAGISTRATE  
RAMANATHAPURAM DISTRICT

3 THE INSPECTOR OF POLICE  
THIRUVADANAI POLICE STATION,  
RAMANATHAPURAM DISTRICT

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

+1. CC to MR.C.MUTHUSARAVANAN Advocate SR.No.1825

ORDER  
IN  
CRL OP(MD) No.903 of 2019  
Date :29/01/2019

MSI/PN/SAR-III/05.02.2019-3P/6C