



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) No.20759 of 2018

K.DHEIVANATHAN

... PETITIONER / ACCUSED
RANK NOT KNOWN

Vs

STATE REP.BY
THE INSPECTOR OF POLICE
DISTRICT CRIME BRANCH,
RAMANATHAPURAM DISTRICT.
CRIME NO.NOT KNOWN OF 2018

... RESPONDENT / COMPLAINANT

For Petitioner : Mr.K.C.RAMALINGAM, Advocate
For Respondent : Mr.K.SUYAMBULINGA BHARATHI,
Government Advocate(Crl.Side)

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

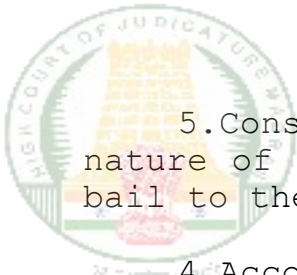
ORDER : The Court Made the following order :-

The petitioner, who apprehends arrest at the hands of the respondent police for the alleged offence under Sections 465, 468, 471, 477-A, 419, 406, 420 IPC r/w 120(b) IPC in Crime No.Not Known of 2018 on the file the respondent police, seeks anticipatory bail.

2.It is the case of the prosecution that the mother of the defacto complainant is the owner of the land situated at Thiruvarai M.Puthukulam Group-I, Village. The accused persons in connivance with the Sub Registrar conveyed the said land to the third party, for which the case was registered against the petitioner and the other accused persons by the Law Enforcing Officer.

3.The learned counsel for the petitioner would submit that the petitioner did not commit any offence as alleged by the prosecution. He would submit that the document was presented in the year 2006 and the complaint was lodged in the year 2018. He would further submit that the petitioner after verifying all the documents only registered the sale deed presented before him.

4.The learned Government Advocate (Crl.Side) would submit that the disputed document was registered in the year 2006, when the petitioner was Sub Registrar in the year 2006 at Sayalkudi.



5. Considering the facts and circumstances of the case and the nature of the offence, this Court is inclined to grant anticipatory bail to the petitioner.

4. 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 No.II, Ramanathapuram 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 Magistrate may obtain a copy of their Aadhar card or Bank pass Book to ensure their identity;

(b) the petitioner shall report before the respondent police daily at 6.30 p.m. for a period of four weeks and thereafter, 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]**; and;

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

5. It is made clear that the benefit of this order will not be applicable to the other accused and the case against them shall go on independently.

sd/-

05/02/2019

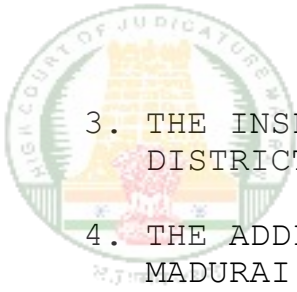
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Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

TO

1. THE JUDICIAL MAGISTRATE NO.II, RAMANATHAPURAM.

2. DO-THROUGH THE CHIEF JUDICIAL MAGISTRATE,
RAMANATHAPURAM DISTRICT.



3. THE INSPECTOR OF POLICE
DISTRICT CRIME BRANCH, RAMANATHAPURAM DISTRICT.

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

+1. CC to Mr.K.C.RAMALINGAM Advocate SR.No.2434

ORDER

IN

CRL OP (MD) No.20759 of 2018

Date :05/02/2019

MS/PN/SAR-3/12.02.2019/3P.6C