



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

Thursday, the Tenth day of January Two Thousand Nineteen

PRESENT

The Hon`ble Mr.Justice M.NIRMAL KUMAR

CRL OP(MD) No.456 of 2019

1 SUBRAMANI

2 KANAGARAJ

... PETITIONERS / ACCUSED
No.1 and 2

Vs

STATE REP.BY
THE INSPECTOR OF POLICE
VADAMADURAI POLICE STATION,
DINDIGUL DISTRICT.
Crime No.597 of 2018

... RESPONDENT / COMPLAINANT

For Petitioner : Mr.A.R.L. SUNDARESAN, Senior Counsel for
Mr.P.MAHENDRAN Advocate

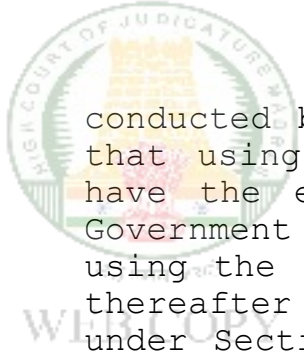
For Respondent : Mr.K.SUYAMBULINGA BHARATHI
Govt. Advocate (Crl. Side)

PETITION FOR BAIL Under Sec. 439 Cr.P.C.

ORDER : The Court Made the following order :-

The petitioners were was arrested by the respondent police on 01.12.2018 for the offences punishable under Sections 465, 468, 471, 420,294(b) and 506(i) of IPC in Crime No.597 of 2018 on the file of the respondent police, seeks bail.

2. The respondent police had registered a case on 30.11.2018 on the complaint given by the Sub Registrar, Vadamadurai for the offence committed during the period 01.01.209 to 31.12.2015. The case of the prosecution is that the Sukkampatti Villagers had held dharna on 01.03.2018 and made a representation that the properties of the villagers have been attempted to be taken over by the accused by creating forged power of attorney and using the same sale deed have been executed to various persons and they had made a representations to the Tahsildhar, Vendasandhur and to the District Registration Officer, Palani . Thereafter they have also made a complaint to the Collector, Dindigul which had been forwarded to the Registration Department. On preliminary enquiry and verification



conducted by the revenue and Registration authorities it was found that using the innocence of the Sukkampatti Village people they have the exploited and properties of the persons along with the Government lands including water bodies have been registered by using the forged document created during the year 2009 to 2011 and thereafter upto 2015. On enquiry the Sub Registrar has issued notice under Section 82 and 83 of the Registration Act and Section 183 of the Registration Rules and preferred a complaint to the respondent.

3. The learned Senior counsel appearing for the petitioner would submit that the petitioners have not created any forged documents and on suspicion only these petitioners were arrested. Most of the documents have been cancelled based on the report of the Registration Department. On instruction he would also submit that there are 70 documents, out of which 60 documents have been cancelled and only 10 documents have to be cancelled. He would further submit if the petitioners are granted bail they are ready to cancel the remaining documents. He would also submit that the petitioners undertake to cancel all the disputed documents including the sale deed pertaining to one Aravinth and inorder to prove his bonafide, interim bail may be granted to the petitioners to cancel all the documents. He would also submit that some of the accused in this case were granted bail by this Court.

4. The learned Government Advocate (Crl.Side) would submit that all the accused in this case have joined together and created forged documents to the extent of the 64 acre and 24 cents of land in the Sukkampatti Village. He would also submit that the villagers have been cheated the lands including the water bodies, public lands, tracks have been grabbed. He would further submit that one Aravindh who is also purchaser of the land using the forged documents, regarding him alteration report has to be filed and he has to be arrayed as an accused.

5. Considering the rival submission made on either sides and and also the submission made by the learned Senior Counsel on instructions from the petitioners that they are ready to cancel all the forged sale deed, this Court is inclined to grant interim bail to the petitioners for a period of six weeks.

6. Accordingly, the petitioner is ordered to be released on interim bail on his executing 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 learned Judicial Magistrate, Vedachandur, Dindigul District and on further condition that:

[a] the petitioners shall report before the respondent police daily at 10.30a.m. until further orders.

[b] the petitioners shall not tamper with evidence or witness either during investigation or trial.



[c] the petitioners shall not abscond either during investigation or trial.

[d] 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].

Post the matter on 25.02.2018 for reporting compliance.

sd/-
10/01/2019

/ TRUE COPY /

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

TO

- 1.THE JUDICIAL MAGISTRATE,
VEDACHANDUR, DINDIGUL DISTRICT.
- 2.THE CHIEF JUDICIAL MAGISTRATE,
DINDIGUL DISTRICT.
- 3.THE INSPECTOR OF POLICE,
VADAMADURAI POLICE STATION, DINDIGUL DISTRICT.
- 4.THE OFFICER INCHARGE,
SUB JAIL, VEDACHANDUR.
- 5.THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1. CC to Mr.P.MAHENDRAN Advocate SR.No.639

ORDER
IN
CRL OP(MD) No.456 of 2019
Date :10/01/2019

TK/VR/SAR-4/10.01.2019/3P/7C