



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

Monday, the Eighth day of July Two Thousand Nineteen

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PRESENT

The Hon`ble Mr.Justice P.RAJAMANICKAM

CRL OP(MD) No.9614 of 2019

1 M.V.SUBBA REDDY
2 KODURI SURESH

... PETITIONERS / ACCUSED NO.13 &
(RANK NOT KNOWN)

Vs

STATE REP. BY
THE INSPECTOR OF POLICE,
DISTRICT CRIME BRANCH,
ANTI LAND GRABBING,
SPECIAL CELL, THOOTHUKUDI,
THOOTHUKUDI DISTRICT.
(CRIME NO. 55 OF 2014)

... RESPONDENT / COMPLAINANT

For Petitioner : MR.A.THIRUVADI KUMAR Advocate

For Respondent : Mrs.M.ANANTHA DEVI, Government Advocate (Crl.Side)

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

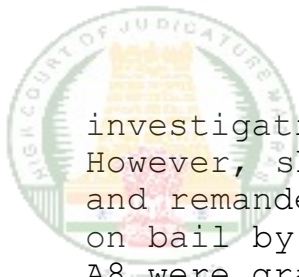
ORDER : The Court Made the following order :-

The petitioners, who apprehend arrest at the hands of the respondent police for the offences punishable under Sections 465, 467, 468, 470, 471 and 120-B of IPC in Crime No.55 of 2014, seek anticipatory bail.

2. Heard both sides.

3.The learned counsel appearing for the petitioners has submitted that the petitioners are innocent persons and they have been falsely implicated in the above case. He further submitted that the only allegation against the petitioners is that they are attestors in the sale deeds dated 13.08.2010 and 23.11.2010. He further submitted that already A1, A2, A5, A7, A10 were arrested and remanded to judicial custody and subsequently they were released on bail by the Sessions Court. He further submitted that A3, A4 and A8 got anticipatory bail from the Sessions Court and hence, he prayed for grant of anticipatory bail to the petitioners.

4.The learned Government Advocate (Crl. Side) has submitted that a civil dispute is there. She further submitted that



investigation is still pending and hence, she opposed this petition. However, she fairly conceded that A1, A2, A5, A7, A10 were arrested and remanded to judicial custody and subsequently they were released on bail by the Sessions Court. She further submitted that A3, A4 and A8 were granted anticipatory bail by the Sessions Court.

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5. Taking into consideration the fact that the allegation made against the petitioners is that they are only attestors in the sale deeds dated 13.08.2010 and 23.11.2010 and also the fact that already A1, A2, A5, A7, A10 were arrested and remanded to judicial custody and subsequently they were released on bail by the Sessions Court and also the fact that A3, A4 and A8 were granted anticipatory bail by the Sessions Court, this Court is inclined to grant anticipatory bail to the petitioners by imposing certain conditions.

6. Accordingly, 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 Court for Land Grabbing Cases, Thoothukudi, Thoothukudi District, on condition that the petitioners shall execute a bond for a sum of Rs.10,000/- (Rupees ten thousand only) each with two sureties each for a like sum to the satisfaction of the respondent Police or to the Police Officer, who intends to arrest or to the satisfaction of the learned Magistrate concerned and on further condition that:

(i) If the petitioners fail to surrender before the concerned Magistrate within a period of 15 days, this order shall stand automatically cancelled.

(ii) the petitioners shall report before the respondent police daily at 10.30 a.m for a period of three weeks and thereafter, as and when required before the respondent police for interrogation.

(iii) the petitioners shall not tamper with evidence or witness either during investigation or trial.

(iv) the petitioners shall not abscond either during investigation or trial.

(v) 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].

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

sd/-

08/07/2019

/ TRUE COPY /



TO

1 THE JUDICIAL MAGISTRATE,
SPECIAL COURT FOR LAND GRABBING CASES,
THOOTHUKUDI, THOOTHUKUDI DISTRICT.

2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
THOOTHUKUDI DISTRICT.

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

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

+1. CC to M/S.A.THIRUVADI KUMAR Advocate SR.No. 74195

ORDER

IN

CRL OP (MD) No.9614 of 2019

Date :08/07/2019

JM/JC/SAR 1/11.07.2019/3P/6C