

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 16/09/2019

PRESENT

The Hon`ble Mr.Justice G.R.SWAMINATHAN

CRL OP(MD) . No.11581 of 2019

1. D. Arunkumar
2. V.Muthupillaammal
3. C.Balamuthukumaran
4. S.Datchinamoorthy
5. M.Marikannan ... Petitioners/Accused 1 to 5

Vs

The Inspector of Police,
District Crime Branch,
Anti Land Grabbing Special Cell,
Madurai District.
(Crime No.10 of 2019). Respondent/Complainant

For Petitioner : M/s. B. Jeyakumar,
Advocate.
For Respondent : Mr.A.Robinson,
Government Advocate (Crl.Side)
For Intervenor : Mr.P.Solaisamy

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

PRAYER :-

For Anticipatory Bail in Crime No.10 of 2019 on the file of the respondent.

ORDER : The Court made the following order :-

Heard the learned counsel appearing for the petitioners, the learned counsel appearing for the intervenor and the learned Government Advocate(Crl. Side) appearing for the respondent.

2.The petitioners apprehending arrest at the hands of the respondent police for the offences punishable under Sections 120(b),

419, 465, 468, 471 and 420 of I.P.C., in Crime No.10 of 2019, on the file of the respondent police, seek anticipatory bail.

3.The property in question belongs to the mother of the defacto complainant, her name is Muthupillai. The second petitioner herein impersonated as if she is the mother of the defacto complainant and executed a power of attorney in favour of the first petitioner. The third and fourth petitioners have signed as witnesses. The fifth petitioner is a document writer.

4.The learned counsel for the petitioner states that they would take steps for cancellation of power of attorney.

5.In view of the undertaking given by the petitioners, I am inclined to grant anticipatory bail to the petitioners 2 to 5. Since the first petitioner appears to be brain behind the entire operation, I am not inclined to grant relief to the first petitioner herein. This Criminal Original Petition is dismissed as far as the first petitioner is concerned. It is made clear that the steps for cancellation of power of attorney should be taken within a period of one week from the date of receipt of a copy of this order.

6.Subject to the above condition, this Court is inclined to grant anticipatory bail to the petitioners 2 to 5. Accordingly, petitioners 2 to 5 are ordered to be released on bail in the event of arrest or on their appearance before the learned Judicial Magistrate, Special Court For Land Grabbing Cases, Madurai, Madurai District, and on their executing 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 learned Magistrate concerned and on further condition that the petitioners 2 to 5 shall appear before the respondent police as and when required for interrogation. The petitioners shall comply with the conditions stipulated under Section 438 Cr.P.C scrupulously.

7.The petitioners 2 to 5 shall appear before the concerned Magistrate within a period of 15 days from the date on which the order copy made ready, failing which, the petition for anticipatory bail shall stand dismissed.

sd/-
16/09/2019

/ TRUE COPY /

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

TO

1 THE JUDICIAL MAGISTRATE,
SPECIAL COURT FOR LAND GRABBING CASESE
MADURAI

2 DO-THROUGH :
THE CHIEF JUDICIAL MAGISTRATE,
MADURAI DISTRICT.

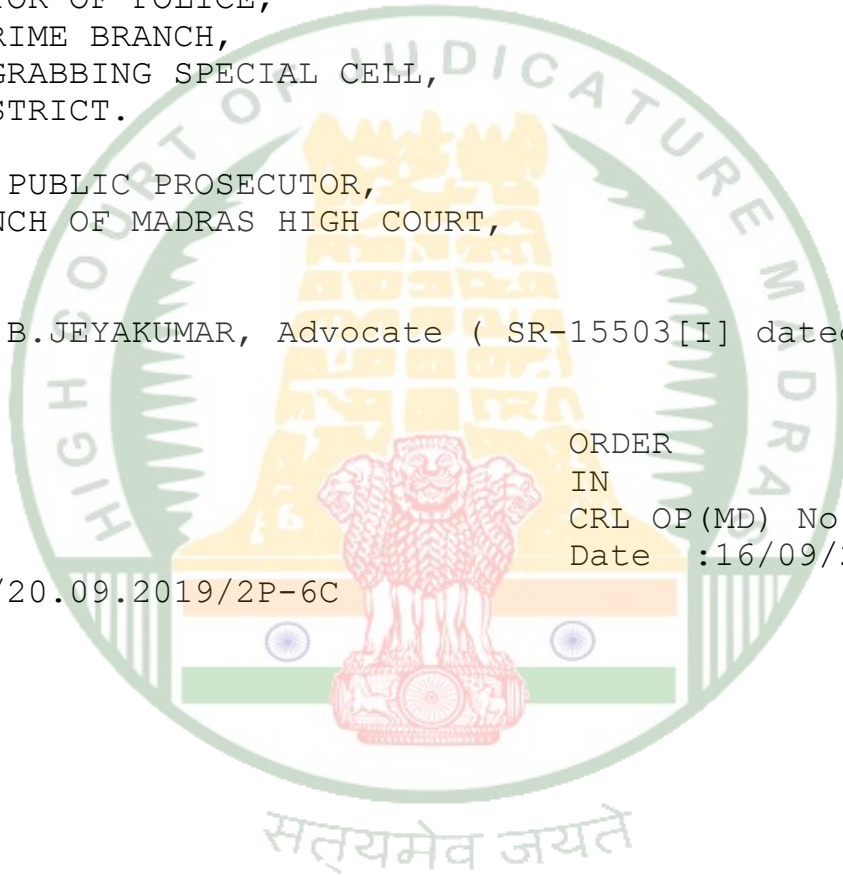
3 THE INSPECTOR OF POLICE,
DISTRICT CRIME BRANCH,
ANTI LAND GRABBING SPECIAL CELL,
MADURAI DISTRICT.

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

+1 CC to M/s.B.JEYAKUMAR, Advocate (SR-15503[I] dated 16/09/2019)

SDS/JC/SAR-3/20.09.2019/2P-6C

ORDER
IN
CRL OP(MD) No.11581 of 2019
Date :16/09/2019



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