



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 22/10/2020

PRESENT

The Hon`ble Mr.Justice ABDUL QUDDHOSE

CRL OP(MD). No.11903 of 2020

Senthilkumar

... Petitioner/Accused No.12

Vs

1. State Rep. by
The Deputy Superintendent Of Police,
Anti Land Grabbing Cell,
District Crime Branch,
Dindigul District.

2. The Inspector of Police,
Anti Land Grabbing Cell,
District Crime Branch,
Dindigul District.
Crime No.8 of 2020.

... Respondents/Complainants

For Petitioner : M/s.A.Anbalagan,
Advocate.

For Respondent : Mr.R.Seenivasan
Government Advocate (Crl.Side)

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

PRAYER :- For an Anticipatory Bail in Crime No.8 of 2020 on the file of the respondent police.

ORDER : The Court made the following order :-

The petitioner, who is arrayed as A12, apprehending arrest at the hands of the respondent police for the offences punishable under sections 120(b), 420, 467, 468 and 471 of IPC, in Crime No.8 of 2020 on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that the defacto complainant is the sister of one Chelladurai. The defacto complainant and chelladurai are daughter and son of the second wife of Kamatchi
said Chelladurai had no children and now he is no



more. The defacto complainant is the only legal heir of the said Chelladurai. According to the petitioner, A1 to A6 are the legal heirs of the first wife of the said Kamatchi gounder. They grabbed Chelladurai's land and without knowledge of the defacto complainant, they sold the property to this petitioner / A12.

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3. The case of the petitioner is that he is only the subsequent purchaser and he is no way connected with the offence as alleged against the accused Nos.1 to 6. This Court by order its order, dated 16.09.2020, in Crl.O.P.(MD)No.7154 of 2020 has granted anticipatory bail to the accused Nos.1 to 6, in the same offence.

4. Heard the learned Government Advocate (criminal side) appearing for the respondents.

5. Since anticipatory bail has already been granted to the prime accused, the petitioner is also entitled for anticipatory bail. Accordingly, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions.

6. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or his appearance, within a period of two weeks from the date of receipt of a copy of this order, before the Judicial Magistrate No.2, Dindigul, on condition that the petitioner shall execute a bond for a sum of Rs.10,000/- (Rupees Ten thousand only) with two sureties 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:

(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 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/petitioner thereafter abscond, a fresh FIR can be registered under Section 229-A IPC.

sd/-
22/10/2020

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/ /2020

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

Note : In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant concerned.

TO

- 1 THE JUDICIAL MAGISTRATE NO.II,
DINDIGUL.
- 2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
DINDIGUL.
- 3 THE DEPUTY SUPERINTENDENT OF POLICE,
ANTI LAND GRABBING CELL,
DISTRICT CRIME BRANCH,
DINDIGUL DISTRICT.
- 4 THE INSPECTOR OF POLICE,
ANTI LAND GRABBING CELL,
DISTRICT CRIME BRANCH,
DINDIGUL DISTRICT.
- 5 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

ORDER
IN
CRL OP(MD) No.11903 of 2020
Date :22/10/2020

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JM/PN/SAR II/28.10.2020/3P/6C