

IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Thursday, the Twenty Ninth day of April Two Thousand Twenty One

PRESENT

The Hon`ble Mr Justice M.DHANDAPANI

CRIMINAL ORIGINAL PETITION No.303 of 2021

K.L.BABU

[PETITIONER / ACCUSED]

Vs

STATE REP.BY
INSPECTOR OF POLICE, CCB,
CCB-II POLICE STATION,
CHENNAI. (CRIME.NO.35 OF 2020)

[RESPONDENT]

For Petitioner : M/S. S.KALAISELVAN Advocate

For Respondent : MR. T.SHUNMUGARAJESWARAN, Govt. Advocate
(Criminal 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 offences punishable under Sections 420, 465, 467, 468, 471, 447 and 109 of IPC, in Crime No.35 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 originally owner of the property to the extent of 25 cents. Further, the petitioner along with other accused persons had created a bogus document with an intention to grab the property belonging to the defacto complainant. Hence, the complaint was registered.

3.The learned counsel appearing for the petitioner submits that the petitioner has not committed any offence as alleged by the prosecution and he has been falsely implicated in this case. He would further submit that the petitioner was acting only as broker. He would further submit that suit in O.S.No.31 of 2019 is pending before the District Munsiff Court Tambaram. Hence, he prays for grant of anticipatory bail to the petitioner.

4.The learned Government Advocate (Crl.Side) submits that the petitioner along with other accused persons had created a bogus document with an intention to grab the property belonging to the defacto complainant. He would further submit that the investigation is still pending. Hence, he vehemently opposed for grant of anticipatory bail to the petitioner.

5. Considering the fact that the issue pertains to land grabbing, which is a menace in the present day scenario and even special Courts have been constituted to hear land grabbing cases and that the offence in the present case is of serious nature, and taking into account the fact that investigation is still pending and enlarging the petitioner on anticipatory bail at this point of time would be detrimental to the investigation, this Court is not inclined to grant anticipatory bail to the petitioner.

6.Accordingly, this Criminal Original Petition is dismissed.

-sd/-
29/04/2021

This order, on being produced, be punctually observed and carried into execution by all concerned

TRUE COPY

Sub-Assistant Registrar (Statistics/C.S.)
High Court, Madras - 600 104.

TO

1. THE INSPECTOR OF POLICE,
CCB, CCB-II POLICE STATION,
CHENNAI.
2. THE PUBLIC PROSECUTOR
HIGH COURT MADRAS 104.

CC to M/S. S.KALAISELVAN Advocate on payment of necessary charges

CRL OP.303/2021

Date :29/04/2021

SP(25/06/2021)