



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 19.07.2021

CORAM

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

CrI.O.P.No.7175 of 2021

1.Poomali
2.Raghu

... Petitioners

Vs.

State by its
Inspector of Police,
District Crime Branch (ALGSC),
Vellore District.
(Crime No.15 of 2020)

... Respondent

Prayer:

Petition filed under Section 438 of Cr.P.C., seeking to enlarge the petitioners on bail in the event of their arrest in Crime No.15 of 2020 on the file of the respondent.

For Petitioners : Mr.K.G.Senthilkumar
For Respondent : Mr.C.E.Pratap for P.P.

ORDER

The petitioners who apprehend arrest at the hands of the respondent police for the alleged offence under Sections 420, 465, 467, 468 and 471 of I.P.C. in Cr.No.15 of 2020 on the file of the respondent police, seek anticipatory bail.

2.The case of the prosecution is that, the first petitioner is alleged to have created forged patta to the land belonging to the defacto complainant's father and sold the property to the second petitioner.

3.The learned counsel appearing for the petitioners would submit that the first petitioner purchased the property from the defacto complainant's father and thereafter sold the same to the second petitioner. He would further submit that it is purely a civil dispute, however, given criminal colour since the defacto complainant is working in the police department.

4.The learned Government Advocate submitted that investigation is still pending.



5. Prima facie it appears that there is a civil dispute. Hence, this Court is inclined to grant anticipatory bail to the petitioners.

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, Katpadi, 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 the police officer who intends to arrest or to the satisfaction of the learned Magistrate concerned and on further condition that:

(a) the petitioners and the sureties shall affix their photographs and left thumb impression in the surety bond and the Court concerned may obtain a copy of their Aadhar card or Bank pass Book to ensure their identity;

(b) the petitioners shall report before the respondent police as and when required for interrogation;

(c) the petitioners shall not tamper with evidence or witness either during investigation or trial;

(d) the petitioners 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 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]; and;

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

-sd/-
19/07/2021

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 JUDICIAL MAGISTRATE,
KATPADI.

2 THE CHIEF JUDICIAL MAGISTRATE
VELLORE DISTRICT [FOR INFORMATION].

3 THE INSPECTOR OF POLICE,
DISTRICT CRIME BRANCH (ALGSC),
VELLORE DISTRICT.

4 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

+1CC to M/S. K.G.SENTHILKUMAR Advocate on payment of necessary
charges S.R. NO. 7529

CRL OP.7175/20212

Date :19/07/2021

JPA 23/07/2021