



IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Friday, the Twelfth day of November Two Thousand Twenty One

PRESENT

The Hon`ble Mrs Justice T.V. THAMILSELVI

CRIMINAL ORIGINAL PETITION No.21270 of 2021

1 JAYAKODI

[PETITIONERS / ACCUSED]

2 NAVANEETHAKRISHNAN

Vs

STATE REP.BY

[RESPONDENT]

THE INSPECTOR OF POLICE,
KUNNATHUR POLICE STATION,
TIRUPPUR DISTRICT.
CR.NO.1127 OF 2011.

For Petitioner : M/S.C.S.SARAVANAN Advocate

For Respondent : MR.N.S.SUGANTHAN, Govt. Advocate (Crl. Side)

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

ORDER : The Court Made the following order :-

(The case has been heard through video conferencing)

The petitioners, who apprehend arrest at the hands of the respondent police for the alleged offences punishable under Sections 467, 468, 420 IPC @ 420, 423, 467, 468, 471 of IPC and Section 82 of Registration Act in Crime No.1127 of 2011, seeks anticipatory bail.

2.The case of the prosecution is that the land belongs to the defacto complainant was acquired by him on 04.04.1985 by virtue of gift settlement deed for the purpose of Government School, Velliraveli and the petitioners are alleged to have sold it to one Shanmugam and Ranjith Prabu. Hence, this complaint has been lodged by the defacto complainant.

3.The learned counsel appearing for the petitioners submitted that the petitioners are an innocent person and they are not connected with this case and they have been falsely implicated in the case. The land is the ancestral property of the petitioners. Hence, seeks



anticipatory bail to the petitioners.

4. The learned Government Advocate (Crl.side) would submit that there is no previous case against the petitioners and the investigation is still pending.

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5. Considering the facts and circumstances of the case and taking note of the fact that the occurrence in the year of 2011 and the co-accused 5 to 9 & 12 were granted anticipatory bail in Crl.O.P.No.18180 of 2011 and accused 10 and 17 were granted bail in C.M.P.No.1979 of 2011 on 11.08.2011 by Principal District and Sessions Judge, Erode. Hence, this Court is inclined to grant anticipatory bail to the petitioners with certain conditions.

6. Accordingly, the petitioners are ordered to be released on bail in the event of arrest or on his appearance, within a period of fifteen days from the date of receipt of a copy of this order, before the District Munsif cum Judicial Magistrate, Uthukuli, on condition that the petitioners shall execute a bond for a sum of Rs.10,000/- (Rupees Ten Thousand Only) 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 appear before the respondent police on every Friday at 10.30 a.m., until further orders.

(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.

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-sd/-

12/11/2021

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 DISTRICT MUNSIF CUM
JUDICIAL MAGISTRATE, UTHUKULI

2 THE CHIEF JUDICIAL MAGISTRATE
TIRUPPUR [FOR INFORMATION]

3 THE INSPECTOR OF POLICE,
KUNNATHUR POLICE STATION,
TIRUPPUR DISTRICT.

4 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

+1 CC to M/S.C.S.SARAVANAN Advocate on payment of necessary
charges SR.No.12741

CRL OP.21270/2021

Date :12/11/2021

APN 16/11/2021