



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)
Date : 22/10/2021
PRESENT

WEB COPY

The Hon`ble Mr.Justice B.PUGALENDHI

CRL OP(MD) No.3398 of 2021

1 ALICE RAJASIGAMANI
2 KANI JEGADEESH
3 CHINNADURAI
4 THIRAVIYARAJ

... PETITIONERS/ ACCUSED NO.1 TO 4

Vs

STATE REP.BY
THE INSPECTOR OF POLICE
ANTI LAND GRABBING PREVENTION SPECIAL CELL,
THOOTHUKUDI DISTRICT, THOOTHUKUDI.
CRIME NO.21/2020.

... RESPONDENT / COMPLAINANT

For Petitioners : Mr.T.A.EBENEZER, Advocate
For Respondent : Mr.A.THIRUVADI KUMAR, Government Advocate (crl.side)
For Intervenor : Mr.PANDIVEL RAJAN, Advocate

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

PRAYER:-

FOR ANTICIPATORY BAIL IN CRIME NO.21/2020 ON THE FILE OF THE
RESPONDENT POLICE

ORDER : The Court Made the following order :-

The petitioners/A1 to A4, apprehending arrest for the alleged offence punishable under Sections 120(B), 464, 467, 468, 471 and 420 I.P.C, in Crime No.21 of 2020 on the file of the respondent police, seek anticipatory bail.

2.The case of the prosecution is that the first petitioner taking advantage of the joint patta in his name has sold the land belonging to the defacto complainant to the second petitioner and thereby, the second petitioner executed a settlement deed in favour of third petitioner and the fourth petitioner, who are the document writers. Hence, the complaint.

3.The learned counsel for the petitioners would submit that the petitioners are innocents, they have not committed any offence as alleged by the prosecution, but they have been falsely implicated in this case. He would further submit that the patta stands only in the name of the first petitioner and the defacto complainant without any authority, has foisted a false case as against the petitioners.



4.Considering the nature of the dispute, this Court referred the matter for mediation, however no compromise has been arrived at between the parties.

5.The learned Additional Public Prosecutor has produced the report of Joint Registrar in Na.Ka.No.6929/A3/2021 Dated 00.08.2021 that the enquiry was conducted by the District Registrar based on the representation of the defacto complainant dated 07.12.2020 and they have found that Doc.No.758 of 2020 is a fraudulent registration and they are also initiating action for cancelling the document pursuant to the circular No.41350/U1/2017 dated 31.07.2018.

6.Considering the report of the District Registrar that the document No.758 of 2020, which has been created by the petitioners is a fraudulent one, this Court is not inclined to grant anticipatory bail to these petitioners.

7.Accordingly, this Criminal Original Petition is dismissed.

sd/-

22/10/2021

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/ /2021

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 INSPECTOR OF POLICE
ANTI LAND GRABBING PREVENTION SPECIAL CELL,
THOOTHUKUDI DISTRICT, THOOTHUKUDI.
- 2.THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

ORDER

IN

CRL OP(MD) No.3398 of 2021

Date :22/10/2021

SA/PN/SAR.2/09.11.2021/2P/3C