



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)

Date : 14/09/2021

PRESENT

The Hon`ble Mr.Justice B.PUGALENDHI
CRL OP(MD). No.12794 of 2021

WEB COPY

Vijaya Lekshmi

... Petitioner/Accused
Rank Not known

Vs

The State Rep. by,
The Inspector of Police,
District Crime Branch (ALGSC),
Dindigul District.
Cr.No.8/2020.

... Respondent/Complainant

For Petitioner : M/s. Ramakrishnan.S,
Advocate.

For Respondent : Mr.T.Senthilkumar,
Government Advocate (Crl.Side)

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

PRAYER :-

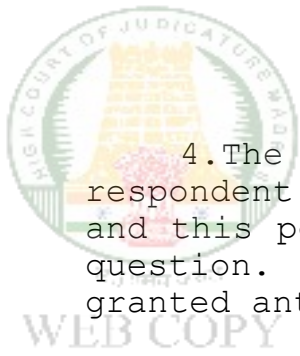
For Anticipatory bail in Crime No.8 of 2020 on the file of the
Respondent police.

ORDER : The Court made the following order :-

The petitioner apprehending arrest at the hands of the
respondent police for the alleged offence punishable under Sections
120(b), 420, 467, 468 and 471 IPC, in crime No.8 of 2020, seeks
anticipatory bail.

2.The case of the prosecution is that the de-facto complainant
is the sister of one Chelladurai. The de-facto complainant and
Chelladurai are daughter and son of the second wife of one Kamatchi
Gounder. The said Chelladurai had no children and now he is no
more. The de-facto complainant is the only legal heir of the said
Chelladurai. According to the de-facto complainant, A1 to A6 are
the legal heirs of the first wife of the said Kamatchi Gounder.
They grabbed Chelladurai's land and without the Knowledge of the de-
facto complainant, they sold the property to A12. Hence, the
complaint.

3.The learned counsel for the petitioner submits that the
petitioner is an innocent person, he has not committed any offence
as alleged by the prosecution, but he has been falsely implicated in
this case. He further submits that the co-accused were already
granted anticipatory bail by this Court.



4.The learned Government Advocate (Crl. side) for the respondent submits that totally there are 16 accused in this case and this petitioner has only signed as a witness in the document in question. He further submits that the co-accused were already granted anticipatory bail by this Court.

5.Considering the fact that the petitioner has only signed as a witness in the document in question and also the fact that the co-accused were already granted anticipatory bail by this Court, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions.

6.Accordingly this petition is allowed and the petitioner is 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 Special Court (Land Grabbing), Madurai, Madurai District, on condition that the petitioner 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 learned Magistrate concerned and on further conditions 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 Aadhaar card or bank pass book to ensure their identity.

[b]the petitioner shall report before the respondent police daily at 10.30 a.m., until further orders.

[c]the petitioner shall not tamper with the 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]**.

[f]If the accused thereafter absconds, a fresh FIR can be registered under Section 229-A IPC.

sd/-
14/09/2021

/ TRUE COPY /

/ /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 SPECIAL COURT (LAND GRABBING),
MADURAI, MADURAI DISTRICT.
- 2.DO THROUGH
THE CHIEF JUDICIAL MAGISTRATE,
DINDUGAL DISTRICT.
- 3.THE INSPECTOR OF POLICE
DISTRICT CRIME BRANCH (ALGSC),
DINDIGUL.
- 4.THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1 CC to M/s.S.RAMAKRISHNAN, Advocate (SR-6221[I] dated
14/09/2021)

ORDER
IN
CRL OP(MD) No.12794 of 2021
Date :14/09/2021

RK/VR/SAR-III (23.09.2021) 3P 6C