



WEB COPY

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

Date : 02/12/2021

PRESENT

The Hon`ble Mr.Justice B.PUGALENDHI

CRL OP(MD). No.17909 of 2021

and

Crl.M.P(MD) No.10380 of 2021

1. Kani Jegadeesh

2. Chinnadurai

3. Thiraviyaraj

... Petitioners/Accused Nos.2 to 4

Vs

The State rep by its

The Inspector of Police,

Anti Land Grabbing Prevention Special Cell,

Thoothukudi District, Thoothukudi

(Crime No. 21 of 2020).

... Respondent/Complainant

For Petitioner : Mr.David Ganesan.J.,
Advocate.

For Respondent : Mr.P.Kottaisamy,
Government Advocate (Crl.Side)

For Intervenor: Mr.Pandivel Rajan.N. Advocate

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

PRAYER :-

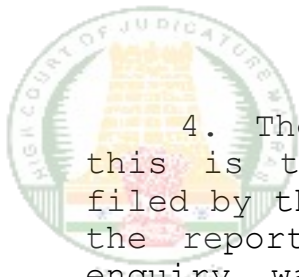
For Anticipatory bail in Crime No. 21 of 2020 on the file of the respondent police .

ORDER : The Court made the following order :-

The petitioners, who apprehend arrest at the hands of the respondent Police, for the alleged offences punishable under sections 120 (B), 464, 467, 468, 471 and 420 IPC, 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 accused taking advantage of the joint patta in his name, has sold the land belonging to the defacto complainant to first petitioner and thereby the first petitioner executed a settlement deed in favour of the second and third petitioners, who are the document writers. Hence, the complaint.

3.The learned counsel appearing for the petitioner submits that this is the second petition filed by the petitioner for anticipatory bail. The earlier petition was dismissed by this Court on 22.10.2021. The petitioners are ready to produce sureties for their due appearance. Hence, he prayed for grant of anticipatory bail to the petitioners.



4. The learned Government Advocate (Crl. Side) submits that this is the second anticipatory bail petition. Earlier petition filed by the petitioner for anticipatory bail was dismissed based on the report of Joint Registrar in Na.Ka.No.6929/A3/2021 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 and as on date, there is no change in circumstances.

5. Considering the nature of offence and also taking into consideration the fact that there is no change in circumstances, after the dismissal of earlier petition, this Court is not inclined to grant anticipatory bail to the petitioner.

6. Accordingly, the Criminal Original Petition is dismissed. Consequently, connected Miscellaneous Petition is closed.

Sd/-
02/12/2021

/ TRUE COPY /

/ /2021
Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

VRN

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.

+1cc to Mr.Pandivel Rajan.N. Advocate Sr.No.8742

ORDER
IN
CRL OP(MD) No.17909 of 2021
Date : 02/12/2021