



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 29.12.2021

PRESENT

The Hon`ble Mrs.Justice S.ANANTHI

CrI.OP(MD)No.21052 of 2021

Annaprakash

... Petitioner/Accused No.9

Vs.

The State rep by
The Inspector of Police,
District Crime Branch,
Theni, Theni District.
Crime No.18 of 2021

... Respondent /Complainant

For Petitioner : Mr.Ajmal Khan, Senior Advocate
for M/s.Ajmal Associates

For Respondent : Mr.K.Sanjai Gandhi,
Government Advocate(CrI Side)

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

PRAYER :-

For Anticipatory Bail in Crime No.18 of 2021 on the file of the respondent Police.

ORDER : The Court made the following order :-

Apprehending arrest at the hands of the respondent police for the alleged offences punishable under Sections 409, 465, 466, 477A, 468, 471, 472, 109 of IPC r/w Sections 13(2), 13(1)(c), 13(1)(d)(i) of the Prevention of Corruption Act, 1988 in Crime No.18 of 2021 on the file of the respondent police, the petitioner has come forward with this petition seeking anticipatory bail.

2.The case of the prosecution is that A1 to A8, who are all Government Officials illegally transferred patta of some Government lands in the name of the petitioner/A9 and his family members. The petitioner has been arrayed as A9 based on the complaint of the Sub Collector, Periyakulam dated 21.09.2021.



3. The learned counsel for the petitioner would submit that the petitioner has relevant documents to prove that he did not commit any offence as alleged by the prosecution.

4. The learned Government Advocate, on instructions, would submit that Rs.700 Crores worth of Government Lands were swindled by the accused persons. The investigation done by the respondent Police revealed that some of the Government lands were transferred in the names of the relatives of the Government Officials, who are the accused persons and within few minutes, all the revenue records were mutated. He would further submit that the assignment number belonging to the year 2006 was fabricated and used for transferring the lands in the names of the individuals. Hence, custodial interrogation of the petitioner is necessary. Further, the matter is transferred to CBCID, Theni three days back for further investigation.

5. Considering the facts and circumstances of the case, this Court is of the view that only after investigation by CBCID, Theni, the real fact will come into light. Hence, the petitioner is directed to appear before the CBCID, Theni with all available documents within 10 days from the date of receipt of a copy of this order. The CBCID, Theni after perusing the records, shall get permission from the concerned Judicial Magistrate and arrest the petitioner, if necessary, for custodial interrogation. If the petitioner did not appear before the CBCID, Theni as per the direction of this Court, CBCID, Theni is at liberty to proceed against the petitioner in accordance with law. With these directions, this Criminal Original Petition is disposed of.

Sd/-
29/12/2021

/ TRUE COPY /

/ /2022
Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

mbi

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,
DISTRICT CRIME BRANCH,
THENI, THENI DISTRICT



2. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.

COPY TO

THE INSPECTOR OF POLICE,
CBCID, THENI.

+1 CC to M/s.AJMAL ASSOCIATES, Advocate (SR-9837[I] dated
30/12/2021)

ORDER

IN

CrI.OP (MD) No.21052 of 2021

Date : 29.12.2021

VB/JC/SAR-III/03.01.2022/3P/5C