



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 12.01.2022

CORAM:

THE HON'BLE MRS. JUSTICE T.V.THAMILSELVI

Cr1.O.P.No.598 of 2022

S.Sugumar

...Petitioner

Versus

The State Represented by;
The Inspector of Police,
Anti-Land Grabbing Special Cell,
Tiruvallur District.

...Respondent

Prayer: Criminal Original Petition filed under Section 438 of Cr.P.C., praying to enlarge the petitioner on bail in the event of his arrest in Crime No.82 of 2021 pending investigation on the file of Inspector of Police Anti-Land Grabbing Special Cell, Tiruvallur District.

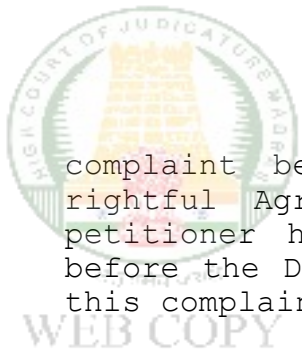
For Petitioner : Mr.C.D.Johnson

For Respondent : Mr.A. Gokulakrishnan
Additional Public Prosecutor

ORDER

The petitioner, who apprehends arrest at the hands of the respondent police for the alleged offences punishable under Sections 406, 417, 420, 465, 468, 471, 506(i) of IPC, in Crime No. 82 of 2021 on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that the petitioner is doing business in the name and style of "Maha Jyothi", Lamp Oil, Super Gold and Sunflower edible oil. The petitioner has purchased the land comprised in Survey No.110/1A from the immediate owners of the land namely, (i) C.Illanchezhiyan, (ii) L.Rajendran to expand his business, the said owners executed a sale deed vide Doc.No.14065/2021 in favour of the petitioner on 18.11.2021 on the file of Sub Registrar Office, Redhills. Till now, the petitioner is in possession of the aforesaid land. After executing the sale deed, the petitioner came to know that one Mr.Madhu Srinivasan had preferred a



complaint before the respondent police alleging that he is the rightful Agreement/Power Agent for the same. Subsequently, the petitioner had preferred a complaint against the immediate owners before the District Crime Branch, Tiruvallur, on 28.12.2021. Hence this complaint.

3. The learned counsel for the petitioner submitted that the petitioner is an innocent person and he has not committed any offence as alleged by the prosecution and he has been falsely implicated in this case. Hence, he prays for grant of anticipatory bail to the petitioner.

4. The learned Additional Public Prosecutor appearing for the respondent police submitted that there was some civil dispute among the petitioner, immediate owners and the Power Agent of the aforesaid land. He further submitted that investigation almost completed in this case. He opposed for grant of anticipatory bail to the petitioner.

5. Taking note of the facts and circumstances, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions. Accordingly, the petitioner is ordered to be released on anticipatory bail in the event of arrest or on his appearance before the learned Special Cell Judge, Anti-Land Grabbing, Tiruvallur District and on his executing 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 the petitioner shall appear before the concerned Magistrate within a period of fifteen days from the date on which the order copy made ready, failing which, the petition for anticipatory bail shall stand dismissed and on further condition 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 Aadhar card or Bank pass Book to ensure their identity;

[b] the petitioner shall report before the respondent police weekly twice namely, Tuesday and Saturday at 10.30 a.m., until further orders.

[c] the petitioner 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 petitioner in accordance with law as if the conditions have been



imposed and the petitioner is 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;

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

-sd/-

12/01/2022

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 SPECIAL CELL JUDGE,
ANTI-LAND GRABBING, TIRUVALLUR DISTRICT.

2 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

3 THE INSPECTOR OF POLICE,
ANTI - LAND GRABBING SPECIAL CELL,
TIRUVALLUR DISTRICT.

CC to M/S. C.D .JOHNSON Advocate on payment of necessary charges

CRL OP.598/2022

Date :12/01/2022

RW 28/01/2022