



IN THE HIGH COURT OF JUDICATURE AT MADRAS
(Criminal Jurisdiction)

Tuesday, the Twenty Second day of March Two Thousand Twenty Two

PRESENT

The Hon`ble Dr Justice G. JAYACHANDRAN

CRIMINAL ORIGINAL PETITION No.6474 of 2022

KAMALKUMAR @ JAKKI REDDY KAMALKUMAR [PETITIONER / ACCUSED]

Vs

STATE REP BY [RESPONDENT]
THE INSPECTOR OF POLICE,
ANTI LAND GRABBING CELL,
KANCHEEPURAM DISTRICT.
CRIME NO.642 OF 2012.

For Petitioner : M/S.R.C.PAUL KANAGARAJ Advocate

For Respondent : MR.S.SANTHOSH, Govt. Advocate (Crl. Side)

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

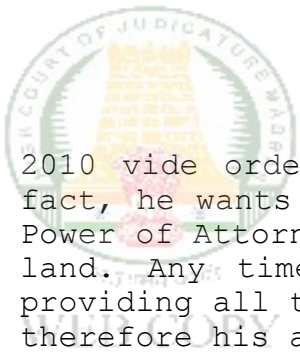
ORDER : The Court Made the following order :-

The petitioner, who apprehends arrest for the alleged offences under Sections 420, 406, 464, 465, 471, 506(II) of IPC in Crime No.642 of 2012, on the file of the respondent police, seeks anticipatory bail.

2. Heard the learned counsel for the petitioner and the learned Government Advocate (Crl. Side).

3. The petitioner herein who is arrayed as A4 in a complaint given by one K. Chandran alleging forgery and cheating. He is only a power agent of one Sathish Kumar in respect of 89 cents of land.

4. According to the Counsel appearing for the petitioner, the de-facto complainant already filed a suit claiming title over 89 cents of land. However, lost the suit for declaration of title in O.S.No. 69 of



2010 vide order dated 10.08.2016, in spite of that, suppressing the fact, he wants to claim right over 89 cents, for which, he was given Power of Attorney by the said Chandran, who is the lawful owner of the land. Any time, he is ready to cooperate with investigation by providing all the documents and other documents of the petitioner and therefore his arrest is not necessary.

5. Considering the fact that regarding the Title, there was already a suit and the competent Court has declared title over the disputed property. Hence it is appropriate to direct the petitioner herein to appear before the respondent police daily and co-operate for the investigation. This Court grant anticipatory bail to the petitioner, subject to certain conditions.

6. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on his appearance, within a period of seven days from the date of receipt of a copy of this order, before the learned Judicial Magistrate No.I, Chengalpattu on condition that the petitioner shall execute a bond for a sum of Rs.50,000/- (Rupees Fifty Thousand Only), with two sureties each for a like sum to the satisfaction of the respondent police or the police officer who intends to arrest or to the satisfaction of the learned Magistrate concerned and on further condition that:

(a) the petitioner and the sureties shall affix his photographs and left thumb impression in the surety bond and the Court concerned may obtain a copy of their Aadhar card or Bank pass Book to ensure their identity;

(b) the petitioner shall not tamper with evidence or witness either during investigation or trial;

(c) the petitioner shall report before the Investigating Officer daily until further orders;

(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 has 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]; and;



(f) if the accused thereafter absconds, a fresh FIR can be registered under Section 229-A IPC.

WEB COPY

-sd/-
22/03/2022

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 JUDICIAL MAGISTRATE,
NO.I, CHENGALPET

2 THE CHIEF JUDICIAL MAGISTRATE
CHENGALPET [FOR INFORMATION]

3 THE INSPECTOR OF POLICE,
ANTI LAND GRABBING CELL,
KANCHEEPURAM DISTRICT.

4 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

+1 CC to M/S.R.C.PAUL KANAGARAJ Advocate on payment of necessary charges SR.NO.4386

CRL OP.6474/2022

Date :22/03/2022

JPA 29/03/2022