



IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Tuesday, the Seventh day of June Two Thousand Twenty Two

PRESENT

The Hon`ble Mr Justice G.K. ILANTHIRAIYAN

CRIMINAL ORIGINAL PETITION No.7611 of 2022

SATISH KUMAR

[PETITIONER / ACCUSED]

Vs

STATE REP BY
THE INSPECTOR OF POLICE,
E-8, KELAMBAKKAM POLICE STATION,
CHENNAI.
CRIME NO.642/2012

[RESPONDENT]

PRESENTLY TRANSFERRED TO
THE INSPECTOR OF POLICE,
ANTI LAND GRBBING CELL,
OFFICE OF THE SUPERINTENDENT POLICE,
KANCHEEPURAM DISTRICT.
CRIME NO.642 OF 2021.

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

For Respondent : MR.A.DAMODARAN, Additional Public Prosecutor,

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

ORDER : The Court Made the following order :-

The petitioner who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 420, 406, 464, 465, 471 & 506(ii) of IPC in Crime No.642 of 2022, seeks anticipatory bail.

2. The case of the prosecution is that the property in S.No.165/5, 165/7 and 165/2A measuring an extent of 89 Cents at Pudupakkam Village, Kancheepuram District was purchased by the de facto complainant on 24.08.1998 and the patta No.865 was also mutated in his name. The ancestral land property measuring to an extent of 1 Acre 70 Cents and ancestral house property measuring to an extent of



1 Acre 20 Cents vide patta Nos.267 & 589 at Pudupakkam Village, Kancheepuram District also belongs to the *de facto* complainant. The A2 in this case had created a forged General Power of Attorney on 28.09.1998 vide Doc No.347/1998 in his name and sold it to 9 persons. Moreover, after mutation of online patta No.267 in the year 2005, the A2 came to the *de facto* complainant's house along with rowdy elements and claimed ownership over the above said property by handing over the Xerox copy of the forged GPOA dated 28.09.1998. Thereafter, A1 to A4 came to the *de facto* complainant's house along with henchmen, threatened the *de facto* complainant with deadly weapons at night hours to the leave from his home town. Hence, the complaint.

3. The learned counsel appearing for the petitioner submitted that the alleged crime is of the year 2012 and he has filed an anticipatory bail petition along with the another accused in Crl.O.P.No.16571 of 2014, however it was dismissed on 27.10.2014. Thereafter the 2nd petitioner in the Crl.O.P.No.16571 of 2014 had filed an another petition for anticipatory bail and this Court had granted anticipatory bail in Crl.O.P.No.6474 of 2022 by Order dated 22.03.2022. Hence, he prays to grant anticipatory bail to the petitioner herein.

4. Considering the above submission, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions.

5. Accordingly, 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 on which the order copy made ready, before the learned Judicial Magistrate No.I, Chengalpattu, 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 respondent police or the police officer who intends to arrest or to the satisfaction of the learned Magistrate concerned, 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 daily at 10.30 a.m. for a period of two weeks and thereafter as and when required for interrogation.

[c] the petitioner shall not tamper with 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 229A IPC.

-sd/-

07/06/2022

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, CHENGALPATTU.

2 THE CHIEF JUDICIAL MAGISTRATE
CHENGALPATTU. [FOR INFORMATION]

3 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

4 THE INSPECTOR OF POLICE,
E-8, KELAMBAKKAM POLICE STATION,
CHENNAI.

5 THE INSPECTOR OF POLICE,
ANTI LAND GRABBING CELL,
OFFICE OF THE SUPERINTENDENT POLICE,
KANCHEEPURAM DISTRICT.

+1 CC to M/S. R.C.PAUL KANAGARAJ Advocate on payment of
necessary charges SR.NO.8568

CRL OP.7611/2022

Date :07/06/2022

TA-10/06/2022