



IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Friday, the Twentieth day of May Two Thousand Twenty Two

PRESENT

The Hon`ble Mr Justice G.K. ILANTHIRAIYAN

CRIMINAL ORIGINAL PETITION No.12196 of 2022

1 SUGANTHI
2 KRISHNAN

[PETITIONERS / ACCUSED]

Vs

STATE REP BY
THE INSPECTOR OF POLICE,
DCB COIMBATORE,
COIMBATORE DISTRICT.
CRIME NO.29/2021.

[RESPONDENT]

For Petitioner : M/S T.SHANMUGAM 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 petitioners, who apprehend arrest at the hands of the respondent police for the offences punishable under Sections 406, 420, 468 & 120 of IPC in Crime No.29 of 2021, seek anticipatory bail.

2. The case of the prosecution is that the the property comprising 1400 sq.feet in Survey No.1177/2 at VKV Jai Nagar was alleged to have registered at Periyannayanpalayam SRO and the same land was sold to one, Devi by A1 and further A1 alleged to have given General power of attorney to one, Rajamani and further alleged that Rajamani A2 had sold the property to A3 and A4. Hence, the complaint.

3. The learned counsel appearing for the petitioners would submit that John L Hughes, S/o Eric Hughes had filed a suit before the District Munsif Court, Coimbatore in O.S.No.1176 of 2020 arraying A1 to A4 as defendants to declare the sale deed, Settlement deed as null and void and further restraining the defendants from alienating the property. Further Eric Hughes had filed a suit before the District Munsiff Court, Coimbatore in O.S.No.1173 of 2020 arraying A1 to A4 as



defendants to declare the sale deed & settlement deed executed by the 1st defendant in favour of 3rd defendant as null and void and further restraining the defendants from alienating the property, and no further inquiry is needed in this case.

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4. Considering the above facts and circumstances that the dispute is civil in nature, this Court is inclined to grant anticipatory bail to the petitioners with certain conditions.

5. Accordingly, the petitioners are ordered to be released on bail in the event of arrest or on their appearance, within a period of fifteen days from the date on which the order copy made ready, before the learned Judicial Magistrate/ Special Court (Land Grabbing Cases) Coimbatore, on condition that each of the petitioners shall execute a separate 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 petitioners 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 petitioners 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 petitioners 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 petitioners in accordance with law as if the conditions have been imposed and the petitioners 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 abscond, a fresh FIR can be registered under Section 229A IPC.

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-sd/-
20/05/2022

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,
SPECIAL COURT (LAND GRABBING CASES)
COIMBATORE.

2 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

3 THE INSPECTOR OF POLICE,
DCB COIMBATORE,
COIMBATORE DISTRICT.

+1 CC to M/S T.SHANMUGAM Advocate on payment of necessary
charges SR.NO.7816

CRL OP.12196/2022

Date :20/05/2022

TA-25/05/2022