



IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Thursday, the Thirtieth day of June Two Thousand Twenty Two

PRESENT

The Hon`ble Mrs Justice T.V.THAMILSELVI

CRIMINAL ORIGINAL PETITION No.12515 of 2022

B.MEENAKSHI SUNDARAM

[PETITIONER / ACCUSED]

Vs

STATE REP.BY
THE INSPECTOR OF POLICE,
CENTRAL CRIME BRANCH,
CHENNAI.
CR.NO.119 OF 2021.

[RESPONDENT]

For Petitioner : M/S. S.SURESH Advocate

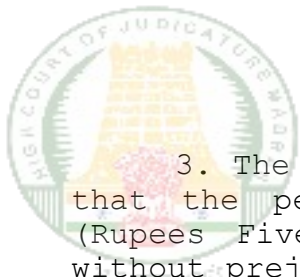
For Respondent : MR.R.KISHORE KUMAR, Govt. Advocate (CrI. Side)

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 419, 465, 467, 468, 471 r/w Section 34 and 109 of IPC in Crime No.119 of 2021, seeks anticipatory bail.

2.The case of the prosecution is that the defacto complainant is the original owner of the property and she had purchased the property from one Mohan Mathyu in the year 1990. While so, A1 had impersonated the defacto complainant and executed two power of attorney in favour of A2 and A3 in the year 2019 in respect of S.Nos.191 and 192. When the power of attorney is in subsistence, A1 had executed a sale deed in favour of A5 in the year 2020. Thereafter, A5 had mortgaged the property in the Punjab National Bank. Further, the petitioners along with other accused persons had intentionally grabbed the property belonging to the defacto complainant. Hence, the complaint.



3. The learned counsel appearing for the petitioner would submit that the petitioner is ready to deposit a sum of Rs.5,00,000/- (Rupees Five Lakhs only) to the credit of crime No.119 of 2021, without prejudice to his rights. Further he submitted that co-accused released on bail. Therefore, he prays for grant of anticipatory bail to the petitioner.

4. The learned Additional Public Prosecutor would submit that co-accused released on bail and there is no previous case pending against the petitioner. However he opposed for grant of anticipatory bail to the petitioner.

5. Taking note of the facts and circumstances of the case and also the fact that co-accused released on bail and there is change of circumstances after dismissal of the previous anticipatory bail petition. Hence, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions.

6. Accordingly, the petitioner is directed to deposit a sum of Rs.5,00,000/- (Rupees Five Lakhs only) to the credit of crime No.119 of 2021, within a period of two weeks from the date on which the order copy made ready, and on such deposit the petitioner is ordered to be released on bail in the event of arrest or on her appearance, before the learned Special Metropolitan Magistrate, No.II Land Grabbing cases, Egmore, Chennai, 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 deposit a sum of Rs.5,00,000/- (Rupees Five Lakhs only) to the credit of crime No.119 of 2021, before the concerned Magistrate, within a period of two weeks from the date on which the order copy made ready.

[c] the final order in respect of the said deposit shall be passed by the learned trial Judge at conclusion of trial.

[d] the petitioner shall appear before the respondent police every Saturday at 10.30 a.m., until further orders.



[e] the petitioner shall not tamper with evidence or witness either during investigation or trial.

[f] the petitioner shall not abscond either during investigation or trial.

[g] 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]**.

[h] If the accused thereafter abscond, a fresh FIR can be registered under Section 229A IPC.

-sd/-

30/06/2022

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 SPECIAL METROPOLITAN MAGISTRATE,
NO.II, LAND GRABBING CASES, EGMORE, CHENNAI.

2 THE CHIEF METROPOLITAN MAGISTRATE,
EGMORE, CHENNAI. [FOR INFORMATION]

3 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

4 THE INSPECTOR OF POLICE,
CENTRAL CRIME BRANCH,
CHENNAI.

+1 CC to M/S. S.SURESH Advocate on payment of necessary charges
SR.NO.10434

CRL OP.12515/2022

Date :30/06/2022

TA-06/07/2022