



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

Wednesday, the Twenty Second day of June Two Thousand Twenty Two
PRESENT

The Hon`ble Mr Justice G.K. ILANTHIRAIYAN
CRIMINAL ORIGINAL PETITION No.13873 of 2022

S.SIVAGAMI [PETITIONER / ACCUSED]

Vs

THE STATE REPRESENTED BY [RESPONDENT]
INSPECTOR OF POLICE,
LAND GRABBING TEAM - 2,
CENTRAL CRIME BRANCH - 1,
VEPERY, CHENNAI - 7
(CRIME NO. 73 OF 2022)

For Petitioner : M/S.V.SATHISH KUMAR 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/A1 who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 465, 467, 468, 471 & 34 of IPC in Crime No. 73 of 2022, seeks anticipatory bail.

2. The learned counsel appearing for the petitioner submitted that the husband of the petitioner had died 15 years before and she had lived with her son Karthikeyan. As her son Karthikeyan was suffering from severe liver ailment, it is the petitioner who is going for a job to take care of her ailing son. At that juncture, her son had informed her that, if she makes a signature before the office of the Sub Registrar at Adyar his friend will help monetarily for his treatment and the said occurrence happened in the month of June 2021.

3. It is seen that the de-facto complainant's father owned a property and after his demise the petitioner and others fabricated the legal heirs certificate and settled the said property in favour of petitioner's son who is arrayed as A2. In turn, A2 executed Power of Attorney in favour of A3. However, A2 now died. The settlement deed executed in favour of A2 and Power of Attorney executed by A2



also cancelled in the proceedings of Na.Ka.No.19066/E2/2021 dated 14.06.2022 on the file District Registrar, South Chennai.

4. Considering the above fact and circumstances of the case, 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 Special Metropolitan Magistrate(Land Grabbing), Egmore, Chennai - 8 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.

WEB COPY

-sd/-

22/06/2022

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 (LAND GRABBING),
EGMORE, CHENNAI-8.

2 THE CHIEF METROPOLITAN
MAGISTRATE, EGMORE, CHENNAI (FOR INFORMATION)

3 INSPECTOR OF POLICE,
LAND GRABBING TEAM - 2,
CENTRAL CRIME BRANCH - 1,
VEPERY, CHENNAI - 7

4 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

CC to M/S.V.SATHISH KUMAR Advocate on payment of necessary charges

CRL OP.13873/2022

Date :22/06/2022

RVR 27/06/2022