



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

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

WEB COPY

The Hon`ble Mr Justice G.K. ILANTHIRAIYAN

CRIMINAL ORIGINAL PETITION Nos.14920 & 14926 of 2022

VETRIVEL GANAPATHY @ GANAPAT HYVETRIVEL

[PETITIONER/ACCUSED  
IN CRL.OP.NO.14920/2022]

MURALIDHARAN

[PETITIONER/ACCUSED  
IN CRL.OP.NO.14926/2022]

Vs

STATE REPRESENTED BY  
THE INSPECTOR OF POLICE,  
ANTI LAND GRABBING SPECIAL CELL,  
DISTRICT CRIME BRANCH, VELLORE.  
(CRIME NO.46 OF 2018)respectively

[RESPONDENT IN BOTH THE PETITIONS]

For Petitioner : M/S.D.BENNINGTON Advocate [IN BOTH THE PETITIONS]

For Respondent : MR.A.DAMODARAN, ADDITIONAL PUBLIC PROSECUTOR  
[IN BOTH THE PETITIONS]

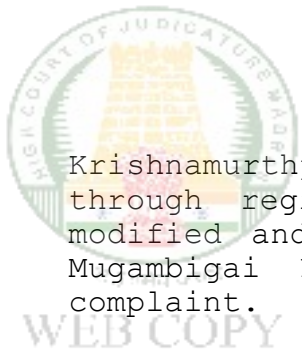
For Intervenor : M/S S.MUTHUKUMAR Advocate [IN BOTH THE PETITIONS]

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 120(B), 420, 447, 465, 468 and 471 of IPC, in Crime No.46 of 2018, seek anticipatory bail.

2. The case of the prosecution is that one Kuppu Pillai is the absolute owner of the land ad-measuring 3.82 acres. The said Kuppu Pillai died intestate leaving behind his legal heirs. Thereafter, one Allha Pichai became the power of attorney for the said property. He sub- divided the lands into house plots in which the defacto complainant purchased 11 plots from him. Thereafter, few members have cancelled the power of attorney which was given to Allha Pitchai and gave to two other persons viz., Mani and Anantha Kumar, who in turn sold the property to one Krishnamurthy. Subsequently, the said



Krishnamurthy had sold an extent of 3.05 acre to the petitioners through registered sale deeds. Thereafter, the petitioners have modified and re-arranged the layout in the name and style of Sri Mugambigai Nagar and had sold to various persons. Hence, the complaint.

3. The learned counsel appearing for the petitioners would submit that the petitioners are innocent persons and they have not committed any offence as alleged by the prosecution. Hence, he prays for grant of anticipatory bail to the petitioners.

4. The learned Additional Public Prosecutor and the learned counsel for the intervener, vehemently opposed to grant anticipatory bail to the petitioners.

5. Though, this Court had dismissed the anticipatory bail petitions for the petitioners on 3 occasions, the respondent failed to secure the petitioners. The crime is of the year 2018. Therefore, the respondent does not want the custodial interrogation of the petitioners. That apart, the petitioners are only purchasers of the subject property.

6. Considering the above facts and circumstances of the case, this Court is inclined to grant anticipatory bail to the petitioners with certain conditions.

7. 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, Arakkonam, on condition that each of the petitioners 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 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 appear before the respondent police daily Morning at 10.30 a.m., and Evening 05.00 p.m, for a period of four 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.

-sd/-

29/06/2022

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,  
ARAKKONAM

2 THE CHIEF JUDICIAL MAGISTRATE  
VELLORE (FOR INFORMATION)

3 THE INSPECTOR OF POLICE,  
ANTI LAND GRABBING SPECIAL CELL,  
DISTRICT CRIME BRANCH, VELLORE.

4 THE PUBLIC PROSECUTOR  
HIGH COURT, MADRAS.

+2 CC to M/S.D.BENNINGTON Advocate on payment of necessary charges Sr.Nos.10279 & 10281

CRL OP.NOS.14920 & 14926/2022

Date :29/06/2022

RVR 05/07/2022