



IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Friday, the First day of July Two Thousand Twenty Two

PRESENT

The Hon`ble Mr Justice G.K. ILANTHIRAIYAN

CRIMINAL ORIGINAL PETITION No.15153 of 2022

1 ANAND [PETITIONERS / ACCUSED]
2 NEELAVATHI
3 SARADHAM
4 MURUGAN
5 MANJULA

Vs

STATE REP BY [RESPONDENT]
THE INSPECTOR OF POLICE,
MANALMEDU POLICE STATION,
MAYILADUTHURAI DISTRICT.
(CRIME NO.199 OF 2022)

For Petitioner : M/S.M.VINOTH Advocate

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

For Intervenor : MR.G.NIRMAL KRISHNAN, Advocate

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 294(b), 420, 423, 506(ii) and 509 of IPC in Crime No. 199 of 2022, seeks anticipatory bail.

2. The case of the prosecution is that the de-facto complainant namely Saranya, W/o Tamilmani lodged a complaint with the respondent Police on 28.05.2022 alleging that on 17.12.2020, the 1st petitioner who is a land broker have introduced the other petitioners to the de-facto complainant, as they are having the lease rights of the property to an extent of 1 Acres which belongs to temple. For the purpose of transfer of lease rights, the de-facto complainant paid a sum of Rs.18,00,000/- to the 2nd petitioners for which 2nd to 6th petitioners have executed transfer of lease rights. While being so,



one Velu came to the de-facto complainant's lease property and threatened her. Later, when the de-facto complainant asked about the said act of Velu, all the petitioners have abused and threatened her with dire consequences. Hence, the complaint.

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3. It is seen that, the petitioners are original lease hold rights in respect of the subject property owned by the temple in the year 2020. They transfer their lease hold rights in the subject property in favour of de-facto complainant. Immediately, the possession of the subject property was also handed over to the de-facto complainant. After a period of two years, one Velu objected their possession and enjoyment of the subject property and as such, now the present complaint is lodged.

4. Therefore, this Court is of the view that custodial interrogation of the petitioners does not required and 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 Court No.I, Mayiladuthurai, 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 1st 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. The 2nd to 5th petitioners shall report before the respondent police 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 absconds, a fresh FIR can be registered under Section 229A IPC.

-sd/-

01/07/2022

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, MAYILADUTHURAI.

2 THE CHIEF JUDICIAL MAGISTRATE
NAGAPATTINAM [FOR INFORMATION]

3 THE INSPECTOR OF POLICE,
MANALMEDU POLICE STATION,
MAYILADUTHURAI DISTRICT.

4 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

+1CC to M/S.G.NIRMAL KRISHNAN Advocate on payment of necessary charges SR.No.10502

CRL OP.15153/2022

Date :01/07/2022

CSK 06/07/2022