



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)

Date : 11/03/2022

PRESENT

WEB COPY

The Hon`ble Mr.Justice K.MURALI SHANKAR

CRL OP(MD) . No.2649 of 2022

1. Grace Thenmozhi

2. Rini Joyce

... Petitioners/Accused No.3 and 4

Vs

The State Rep. By,
The Inspector of Police,
District Crime Branch,
Madurai, Madurai City.
(Crime No.21/2020).

... Respondent/Complainant

For Petitioner : M/s. Poornachandran.S.,
Advocate.

For Respondent : Mr.M.Muthumanikkam,
Government Advocate (Crl.Side)

PETITION FOR ANTICIPATORY BAIL Under Sec.438 of Cr.P.C

PRAYER :-

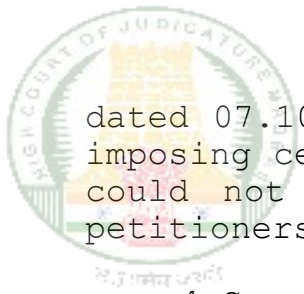
For Anticipatory Bail in Crime No.21 of 2020 on the file of the respondent Police.

ORDER : The Court made the following order :-

The petitioners/A3 and A4, who apprehend arrest at the hands of the respondent police for the offences punishable under Sections 465, 467, 468, 471, 420 and 120-B IPC, in Crime No.21 of 2020, seek anticipatory bail.

2.The case of the prosecution is that the de-facto complainant's wife one Vijaya purchased 16 plots from A1 and A2, who stood as power agents for the above said lands by registered sale deed in the year 2010. The de-facto complainant's relatives also purchased some of the plots. Thereafter, the de-facto complainant came to know that the plots, they have purchased, were already sold to someone. Hence, the complaint.

3.The learned counsel for the petitioners would submit that the petitioners along with one Pandeeshwari have already filed a petition in Crl.O.P.(MD)No.6219 of 2020 and this Court vide order



dated 07.10.2020 has granted anticipatory bail to the petitioner by imposing certain conditions, that due to Covid-19 restrictions, they could not able to execute the sureties and that therefore, the petitioners are constrained to file the above application.

4.Considering the facts and circumstances of the case and also considering the nature of charges levelled against the petitioner and also taking note of the fact that the petitioners have already obtained anticipatory bail from this Court, 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 their arrest or their appearance, within a period of fifteen days from the date of receipt of a copy of this order, before the learned Judicial Magistrate, Special Court, Land Grabbing Cases, Madurai, on condition that the petitioners shall execute a bond for a sum of Rs.25,000/-(Rupees Twenty Five Thousand only)each with two sureties, each for a like sum to the satisfaction of the respondent Police or to the Police Officer, who intends to arrest or to the satisfaction of the learned Magistrate concerned and on further conditions 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 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]***; and;

(f)if the accused thereafter abscond, a fresh FIR can be registered under Section 229-A IPC.

sd/-
11/03/2022

/ TRUE COPY /

/ /2022

Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.



Note : In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant concerned.

TO

1. THE JUDICIAL MAGISTRATE,
SPECIAL COURT FOR LAND GRABBING CASES,
MADURAI.
2. DO-THROUGH : THE CHIEF JUDICIAL MAGISTRATE,
MADURAI DISTRICT.
3. THE INSPECTOR OF POLICE,
DISTRICT CRIME BRANCH,
MADURAI, MADURAI CITY.
4. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1 CC to M/s.S.POORNACHANDRAN, Advocate (SR-2026[I] dated 15/03/2022)

ORDER
IN
CRL OP(MD) No.2649 of 2022
Date :11/03/2022

USK/PN/SAR-IV/16.03.2022/3P/6C