



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 05/05/2022

WEB COPY

PRESENT

The Hon`ble Mr.Justice M.S.RAMESH

CRL OP(MD). No.8845 of 2022

1. Rajeswari
2. S.Ramasamy

... Petitioners/Accused No.2 & 3

Vs

The State rep.by,
The Inspector of Police,
(District Crime Branch),
Anti Land Grabbing Special Cell,
Thoothukudi District, Thoothukudi.
(Crime No.04/2022)

... Respondent/Complainant

For Petitioners : Mr.I.Robert Chandra Kumar,
Advocate.

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

PETITION FOR BAIL Under Sec.439 of Cr.P.C.

PRAYER :-For Bail in Crime No.04/2022 on the file of the respondent police.

ORDER : The Court made the following order :-

The petitioners /accused Nos.2 and 3, who were arrested and remanded to judicial custody on 18.04.2022 for the offences punishable under Sections 120B, 419, 465, 467, 468, 471 and 420 of IPC in Crime No.4 of 2022, on the file of the respondent police, seek bail.

2.Heard the learned counsel for the petitioners and the learned Government Advocate (Crl.Side) for the respondent.

3.The case of the prosecution is that certain revenue records and voter IDs., have been forged and accordingly, properties have been transferred.

4.It is stated that the petitioners are the purchasers of the properties from the first accused. The allegation in the statement mainly implicates the first accused, who created the forged



5. According to the learned counsel for the petitioners, the petitioners are the *bonafide* purchasers of the properties and have no role to play in the alleged forgery.

6. In view of the limited role of the petitioners in the crime, this Court is inclined to grant bail to the petitioners.

7. Accordingly, the petitioners are ordered to be released on bail on their executing 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 learned Judicial Magistrate (Anti Land Grabbing Cases), Special Court, Thoothukudi.

(i) the sureties shall affix their photographs and left thumb impression in the surety bond and the Magistrate/concerned court may obtain a copy of their Aadhar cards or Bank Pass Books to ensure their identity;

(ii) the petitioners shall report before the respondent police daily at 10.30 a.m., for a period of one (1) month and thereafter, as and when required for interrogation;

(iii) the petitioners shall not tamper with evidence or witness;

(iv) the petitioners shall not abscond during trial;

(v) 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]***.

sd/-

05/05/2022

/ TRUE COPY /

05/05/2022

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

MYR / SM

TO

1 THE JUDICIAL MAGISTRATE COURT,
(ANTI LAND GRABBING CASES), SPECIAL COURT,
THOOTHUKUDI.

2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE
THOOTHUKUDI DISTRICT.

3 THE SUPERINTENDENT,
CENTRAL PRISON AT WOMEN, KOKKIRAKULAM,
TIRUNELVELI DISTRICT.



4 THE INSPECTOR OF POLICE
(DCB), ANTI LAND GRABBING SPECIAL CELL,
THOOTHUKUDI DISTRICT, THOOTHUKUDI.

5 THE OFFICER INCHARGE,
DISTRICT JAIL, PERURANI, THOOTHUKUDI DISTRICT.

6 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1 CC to MR.I.ROBERT CHANDRAKUMAR, Advocate (SR-4324[I] dated
05/05/2022)

ORDER

IN

CRL OP(MD) No.8845 of 2022

Date :05/05/2022

MK/GSV/SAR.III/05.05.2022/3P/8C