



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

Date : 21/06/2022

PRESENT

The Hon`ble Mr.Justice G.ILANGO VAN

CRL OP(MD) No.9793 of 2022

M.S.Premkumar

... Petitioner/Accused No.5

Vs

1.The State through
The Inspector of Police,
Anti Land Grabbing Cell,
Madurai, Madurai District.
Under Crime No.409/2015

2.The Inspector of Police,
Appanthirupathi Police Station,
Madurai District.
Under Crime No.409 of 2015.

... Respondents/Complainants

For Petitioner : Mr.K.R.Laxman,
Advocate.

For Respondents : Mr.R.M.Anbunithi
Additional Public Prosecutor

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

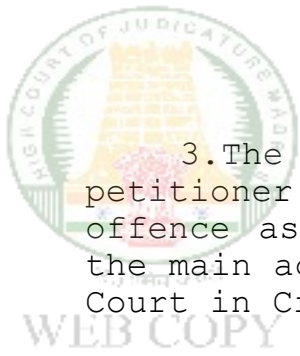
PRAYER :-

For Anticipatory Bail in Cr.No.409/2015 on the file of the respondent police.

ORDER : The Court made the following order :-

The petitioner, who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 468, 471, 419 and 420 of IPC in Crime No.409 of 2015 on the file of the respondent police, seeks anticipatory bail.

2.It is the case of the defacto complainant to the effect that the property, which belongs to him has been settled illegally by the first accused in favour of his own son namely, the second accused herein and the petitioner is the document writer.



3.The learned counsel for the petitioner submitted that the petitioner is an innocent person and he has not committed any offence as alleged by the prosecution. He further submitted that the main accused 1 and 2 have been granted anticipatory bail by this Court in Crl.O.P(MD) No.21934 of 2015 dated 04.01.2016.

4.The learned Additional Public Prosecutor appearing for the respondent police submitted that the second accused is an impersonator and the investigation is going on.

5.The same argument was advanced in the earlier petition also. Noting that there was a title dispute between the parties, anticipatory bail was granted to the main accused. Since the petitioner is the document writer, he is standing on a better footing than that of the main accused. Even though it is contended that without the knowledge of this petitioner, the impersonation would not have taken place, considering the oldness of the matter as well as the limited role that has been played by the petitioner, this Court is inclined to grant anticipatory bail to the petitioner, however, with stringent conditions.

6. Accordingly, this Criminal Original Petition is allowed and petitioner is ordered to be released on bail in the event of arrest or on his appearance, before the learned Judicial Magistrate No.2, Madurai 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 learned Magistrate concerned and the petitioner shall appear before the respondent police on every Saturday at 10.30 a.m. until further orders. The petitioner shall comply with the condition stipulated under Section 438 Cr.P.C. Scrupulously.

sd/-
21/06/2022

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/ /2022
Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

TO

1. THE JUDICIAL MAGISTRATE NO.2,
MADURAI.
2. DO-THROUGH : THE CHIEF JUDICIAL MAGISTRATE,
MADURAI DISTRICT.
3. THE INSPECTOR OF POLICE,
ANTI LAND GRABBING CELL,
MADURAI DISTRICT.

<https://hcservices.mca.gov.in/hcservices>



4. THE INSPECTOR OF POLICE,
APPANTHIRUPATHI POLICE STATION,
MADURAI DISTRICT.

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

+1 CC to M/s.K.R.LAKMAN, Advocate (SR-5937[I] dated 22/06/2022)

ORDER

IN

CRL OP(MD) No.9793 of 2022

Date :21/06/2022

USK/PN/SAR-I/29.06.2022/3P/7C