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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 26/07/2022

PRESENT

The Hon`ble Mr.Justice G.ILANGO VAN

CRL OP(MD) . No.13156 of 2022

K.S.Krishnasami

... Petitioner/Accused No.9

Vs

State rep.by

The Inspector of Police,
District Crime Branch,
Anti Land Grabbing Special Cell,
Dindigul District.
(Crime.No.16 of 2020).

... Respondent/Complainant

For Petitioner : M/s.Suresh.M, Advocate.

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

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

PRAYER :-

For Anticipatory Bail in Crime No.16 of 2020 on the file of the Respondent police.

ORDER : The Court made the following order :-

The petitioner/Accused No.9, apprehending arrest at the hands of the respondent police for the alleged offences punishable under Sections 120(b), 294(b), 420, 467, 468 and 506(ii) I.P.C, in Crime No.16 of 2020 on the file of the respondent police, seeks anticipatory bail.

2. The entire history has been narrated in the order passed by this Court, in Crl.OP(MD)No.16075 of 2022, which was filed by the accused No.10 & 11. Reading of the order shows that subsequent allegation against the first accused is that after the death of the original owner namely, S.K.S.Kalimuthu Pillai, he sold the property to the co-accused. On the basis of the above said issue, case has been registered and civil suit is pending before the District Munsif, Oodanchathram, in O.S.No.106 of 2019. In that suit, the



petitioner is shown as 14th defendant, which was filed by the complainant seeking declaration of all.

3. It is seen that sale deeds were executed subsequent to the death of S.K.S.Kallimuthu Pillai in the year 2008 and the present complaint has been registered on the basis of the order passed by the Additional Mahila Court (Magistrate Level), Dindigul, in Cr.MP.No.6281 of 2022, dated 22.12.2020. Which is much after the above said filing of the suit. Now, it is pending before the concerned Court for adjudication.

4. In view of the granting anticipatory bail to the co-accused No. 10 & 11, this Court is inclined to grant anticipatory bail to the petitioner.

5. 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 Special Court for Exclusive Trial of Land Grabbing Cases, 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 daily at 10.30 a.m. until further orders. The petitioner shall comply with the condition stipulated under Section 438 Cr.P.C. scrupulously.

6. The petitioner shall appear before the concerned Magistrate within a period of 15 days from the date on which the order copy made ready, failing which, the petition for anticipatory bail stands dismissed.

Sd/-
26/07/2022

/ TRUE COPY /

/07/2022
Sub-Assistant Registrar (C.S.IV)
Madurai Bench of Madras High Court,
Madurai - 625 023.

DSS

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 SPECIAL JUDGE FOR
EXCLUSIVE TRIAL OF LAND GRABBING CASES,
MADURAI.
2. THE INSPECTOR OF POLICE,
DISTRICT CRIME BRANCH,
ANTI-LAND GRABBING
SPECIAL CELL,
DINDIGUL DISTRICT.
3. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.

ORDER
IN
CRL OP(MD) No.13156 of 2022
Date :26/07/2022

SP/VR/SAR IV/29/07/2022/3P/4C