



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)
Date : 04.03.2022
PRESENT

The Hon`ble Mr.Justice K.MURALI SHANKAR

CRL OP(MD). No.13883 of 2021

S.Muneeswarapandian

... Petitioner/6th Accused

Vs

The State through
The Inspector of Police,
City Crime Branch,
(Anti Land Grabbing Special Cases),
Madurai City.
(Crime No.28 of 2021)

... Respondent/Complainant

For Petitioner : Mr.V.KATHIRVELU, Senior Counsel,
for Mr.K.PRABHU, Advocate.

For Respondent : Mr.M.Muthumanikkam,
Counsel for Government of Tamil Nadu(Crl.side)

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

PRAYER :- For Anticipatory Bail in Crime No.28 of 2021 on the file of the Respondent police.

ORDER : The Court made the following order :-

The petitioner/A.6, who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 420, 465, 467, 468 and 471 IPC, in Crime No.28 of 2021, on the file of the respondent police, seeks anticipatory bail.

2.The case of the prosecution is that by using the forgery documents, the petitioner along with other accused sold the defacto complainant's property to some other person without the knowledge of the defacto complainant. Hence, the complaint.

3.The learned Senior counsel for the petitioner would submit that the petitioner is innocent and he has not committed any offence as alleged by the prosecution.

4.The learned Government Advocate (Criminal Side) appearing for the respondent police would submit that the petitioner being an Advocate has created bogus Aadhaar Card and received a sum of Rs.42,500/- for the same. He would further submit that the first accused has impersonated one Rajeswari, that the accused 1 to 3 were



already arrested and released on bail and that some other accused were granted anticipatory bail.

5.Considering the nature of charges levelled against the petitioner and also the facts that the main accused 1 to 3 were released on bail, that some other accused were granted anticipatory bail and that the petitioner is not having any previous cases for similar or serious offence, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions.

6.Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on his appearance, within a period of fifteen days from the date of receipt of a copy of this order, before the learned Special Court for Land Grabbing Cases, Madurai, on condition that the petitioner shall execute a bond for a sum of **Rs.25,000/- (Rupees Twenty Five Thousand only)** with two sureties each for a like sum to the satisfaction of the learned Magistrate concerned and on further conditions that:

[a]the petitioner and the sureties shall affix their photographs and left thumb impression in the surety bond and the Magistrate may obtain a copy of their Aadhaar card or bank pass book to ensure their identity.

[b]the petitioner shall report before the respondent police daily at 06.00 p.m., for a period of thirty (30) days and thereafter, as and when required for interrogation.

[c]the petitioner shall not tamper with the evidence or witness either during investigation or trial.

[d]the petitioner 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 petitioner in accordance with law as if the conditions have been imposed and the petitioner 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 229-A IPC.

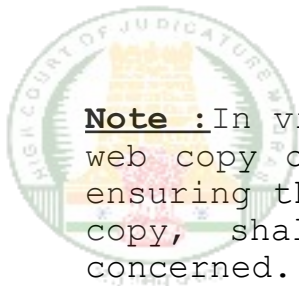
sd/-

04/03/2022

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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.

WEB COPY

TO

- 1 THE JUDGE
SPECIAL COURT FOR LAND GRABBING CASES,
MADURAI.
- 2 THE INSPECTOR OF POLICE,
CITY CRIME BRANCH,
(ANTI LAND GRABBING SPECIAL CASES),
MADURAI CITY.
- 3 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.

+1. CC to M/S.PRABHU.K, Advocate SR.No.1716

**ORDER
IN**

CRL OP(MD) No.13883 of 2021
Date :04/03/2022

SA/SBN/SAR.3/10.03.2022/3P/5C