



WEB COPY



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 24/08/2022

PRESENT

The Hon`ble Mr.Justice G.ILANGO VAN

CRL OP(MD) . No.15103 of 2022

Rajendran

... Petitioner/Accused No.6

Vs

State rep.by
The Inspector of Police,
ALGSC (DCB), Tenkasi,
Tenkasi District.
(Crime No.7 of 2022).

... Respondent/Complainant

For Petitioner : M/s.Aravind Raj.R, Advocate.

For Respondent : M/s.R.M.Anbunithi,
Additional Public Prosecutor(Crl.Side)

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

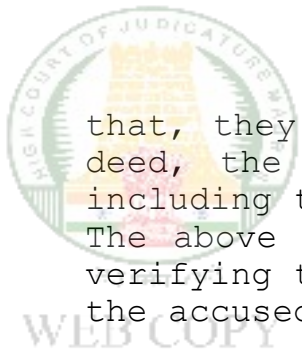
PRAYER :-

For Anticipatory Bail in Crime No.7 of 2022 on the file of the Respondent police.

ORDER : The Court made the following order :-

The petitioner/Accused No.6, apprehending arrest at the hands of the respondent police for the alleged offences punishable under Sections 465, 467, 468, 471, 420 & 120(B) Of I.P.C, in Crime No.7 of 2022 on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that the defacto complainant lodged a complaint stating that the property comprised in S.No.99 measuring 2.05 acres belongs to the defacto complainant's grandfather namely, Subbaiahdevar. He had two wives namely, Sivanammal and Ramatthal. The father of the defacto complainant namely, Tirumalaidevar and one Pandi were born to Sivanammal. Sivanudevar, Murugaiah and Saraswathi were born to Ramatthal. As per UDR, the property was standing in the name of the above said Subbaiahdevar. Since, the petitioner's father was born to the above said Sivanammal, 31 cents were allotted to his father. So, after



that, they were in possession. But, suppressing the above partition deed, the above said Ramatthal executed a family settlement deed including the above said property, which was allotted to his father. The above said deed has been registered by this petitioner without verifying the proper record. Hence, case has been registered against the accused persons.

3. The learned counsel for the petitioner submitted that the petitioner is innocent and he has been falsely implicated in this case. He further submitted that only following the procedure, he registered the above said document. He is noway involved in the dispute between the accused persons and the defacto complainant.

4. The learned Government Advocate (Crl. Side) for the respondent police submitted that some of the persons were arrested and later, released on bail.

5. Considering the fact that the total dispute between the defacto complainant and the accused 1 to 5 and also considering the limited role alleged have been played by the petitioner, this Court is inclined to grant anticipatory bail to the petitioner.

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 Special Court for Anti Land Grabbing Special Cell, Tirunelveli, 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.

7. 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/-
24/08/2022

/ TRUE COPY /

/09/2022
Sub-Assistant Registrar (C.S.II)
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 SPECIAL JUDGE FOR
ANTI LAND GRABBING SPECIAL CELL,
TIRUNELVELI.
2. THE INSPECTOR OF POLICE,
ALGSC (DCB) TENKASI,
TENKASI DISTRICT.
3. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.

ORDER
IN
CRL OP(MD) No.15103 of 2022
Date :24/08/2022

SP/SVR/SAR II/06/09/2022/3P/4C