



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 22.02.2022

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PRESENT

The Hon`ble Mr.Justice K.MURALI SHANKAR

CRL OP(MD) . No.19821 of 2021

1.Ganeshan
2.Sivakumar

... Petitioners/Accused
No.10 & 11

Vs.

State rep.by
The Inspector of Police,
Anti Land Grabbing Special Cell (ALGSC)
Madurai.
(Crime No.21 of 2020)

... Respondent/Complainant

For Petitioners : M/s.D.Anbarasu, Advocate.

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

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

PRAYER :-

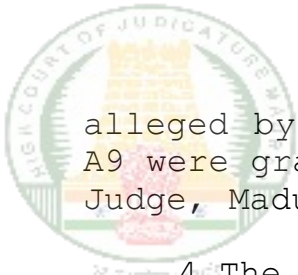
For Anticipatory Bail in Crime No.21 of 2020 on the file of the Respondent police.

ORDER : The Court made the following order :-

The petitioners/accused, who apprehend arrest at the hands of the respondent police for the offences punishable under Sections 465, 467, 468, 470 and 420 IPC r/w 120(B) of IPC, in Crime No.21 of 2020, on the file of the respondent police, seeks anticipatory bail.

2.The case of the prosecution is that one Chandra executed a power deed to one Ravichandran in the year 1997 in respect of property in S.No.64/5 and based on the power of attorney, he has given the property to so many persons. Again the petitioners have given another power of attorney to one John Rajkumar in the year 2009 and based on the power deed, they have executed the sale deeds to the defacto complainant and others. Hence, the complaint.

3.The learned counsel for the petitioners would submit that the petitioners are innocents and they have not committed any offence as



alleged by the prosecution. He would further submit that the A5 to A9 were granted anticipatory bail by the learned Principal Sessions Judge, Madurai.

4. The Government Advocate (Criminal Side) appearing for the respondent police would submit that A1 to A3 are the main accused and they have executed sale deeds in favour of the defacto complainant and FIR came to be registered in the year 2020.

5. This is the second anticipatory bail petition. The earlier anticipatory bail application was dismissed as withdrawn, in CrI.OP (MD) No.7847 of 2020, dated 05.10.2020.

6. Considering the nature of the charges levelled against the petitioner and also the fact that the learned Sessions Judge has granted anticipatory bail to A5 to A9 and that the investigation is almost completed, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions.

7. 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 Judicial Magistrate Court for Anti Land Grabbing Special Cell (ALGSC), 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 10.30 am for a period of one month, 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.

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Sd/-
22/02/2022

/ TRUE COPY /

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

das

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 JUDICIAL MAGISTRATE
FOR ANTI LAND GRABBING
SPECIAL CELL (ALGSC),
MADURAI.
2. -DO- THROUGH
THE CHIEF JUDICIAL MAGISTRATE,
MADURAI DISTRICT.
3. THE INSPECTOR OF POLICE,
ANTI LAND GRABBING SPECIAL CELL (ALGSC),
MADURAI.
4. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.

ORDER
IN
CRL OP(MD) No.19821 of 2021
Date :22/02/2022