



WEB COPY

CRL OP(MD). N



22

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 08/11/2022

PRESENT

The Hon`ble Mr.Justice A.A.NAKKIRAN

CRL OP(MD). No.19174 of 2022

R. Ravichandar, ... Petitioner/Accused Rank Not Known

Vs

State Rep.by
The Inspector of Police,
Anti Land Grabbing Special Cell,
District Crime Branch,
Tenkasi
Cr. No. 10/2021.

... Respondent/Complainant

For Petitioner : M/s. Sivananthan.T., Advocate.

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

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

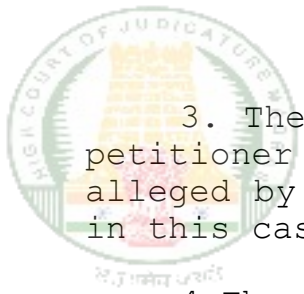
PRAYER :-

For Anticipatory Bail in Crime No. 10 of 2021 on the file of the respondent Police.

ORDER : The Court made the following order :-

The petitioner/accused, who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 420, 423, 467, 468 and 471 IPC in Cr.No.10 of 2021, seeks anticipatory bail.

2.The case of the prosecution is that the accused persons created forged documents in respect of the degcto complainant's agricultural land and sold the same under false pretences and embezzlement of money and that the petitioner herein has registered the said document in the capacity of /Sub-Registrar. Hence, the complaint.



3. The learned counsel for the petitioner would submit the petitioner is innocent and he has not committed any offence as alleged by the prosecution and his name has been falsely implicated in this case.

4. The learned Government Advocate (Crl. Side) would submit that totally five accused involved in this case and the petitioner herein is arrayed as A5 and they have created a forged document and sold the property of the defacto complainant and the same was registered by the petitioner herein, who worked as a Sub-Registrar at the time of registration. He would further submit that totally eight witnesses have been examined and the co-accused viz., A1 and A3 have already granted anticipatory bail by this Court. He further contended that the investigation of the case is pending and he strongly opposed to grant anticipatory bail to the petitioner.

5. Considering the facts and circumstances of the case and also considering the fact that the co-accused have already granted anticipatory bail by this Court and that the eight witnesses have been examined, 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 his appearance, within a period of fifteen days from the date of receipt of a copy of this order, before the learned Special Judicial Magistrate, Special Court for Exclusive Trial of Land Grabbing Cases, Tenkasi 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 respondent Police or to the Police Officer, who intends to arrest or 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 Aadhar card or Bank pass Book to ensure their identity;

(b) the petitioner shall report before the respondent police daily once in a week i.e., on every Sunday at 10.00 am until further orders.

(c) the petitioner shall not tamper with 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 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]**; and;

(f) if the accused thereafter absconds, a fresh FIR can be registered under Section 229-A IPC.

sd/-
08/11/2022

/ TRUE COPY /

/11/2022
Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

TO

- 1 THE SPECIAL JUDICIAL MAGISTRATE,
SPECIAL COURT FOR EXCLUSIVE
TRIAL OF LAND GRABBING CASES, TENKASI.
- 2 DO THROUGH:
THE CHIEF JUDICIAL MAGISTRATE,
TIRUNELVELI DISTRICT.
- 3 THE INSPECTOR OF POLICE
ANTI LAND GRABBING SPECIAL CELL,
DISTRICT CRIME BRANCH, TENKASI
- 4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1 CC to M/s.T.SIVANANTHAN, Advocate (SR-12659[I] dated 09/11/2022)

ORDER
IN
CRL OP(MD) No.19174 of 2022
Date :08/11/2022

TRP
PKP/BUC/SAR-3/22.11.2022/3P/6C