



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)
Date : 19/04/2023
PRESENT

The Hon`ble Mr.Justice G.K.ILANTHIRAIYAN

CRL OP(MD) . No.7171 of 2023

1.N.Ravichandran
2.R.Chandrasekaran

... Petitioner/Accused 2 & 3

Vs.

The State rep., by
The Inspector of Police,
Anti-land Grabbing Special Cell (DCB),
Trichy.
(Crime No.21 of 2022)

... Respondent/Complainant

For Petitioner : Mr.R.R.KANNAN, Advocate

For Respondent : Mr.R.M.ANBUNITHI

Additional Public Prosecutor

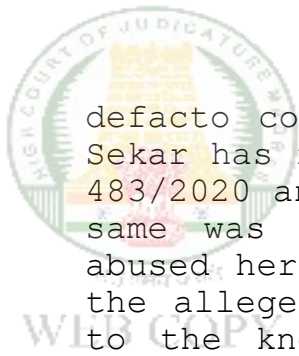
PETITION FOR Anticipatory BAIL Under Sec.438 of Cr.P.C.

PRAYER :- For Anticipatory Bail in Crime No.21 of 2022 on the file of the respondent police.

ORDER : The Court made the following order :-

The petitioners/A2 & A3, who apprehend arrest at the hands of the respondent police for the offences punishable under sections 120(b), 294(b), 420, 467, 468, 471 and 506(i) of IPC, in Crime No.21 of 2022 on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that the defacto complainant's husband namely Kannan has obtained various loans from Banks and private individuals during his life time. Without settling the above stated loan amounts, he died on 25.06.2018. In order to settle the said loan amount, the defacto complainant approached one Sekar (A1) for disposing the properties situated in Vyampatti Village to one Krishnamurthy for a sum of Rs.1,40,00,000/-. By accepting the words of the said Sekar, the said properties was fraudulently executed in favour of the petitioners herein. Eventhough the properties was sold in favour of the petitioners on 25.09.2019 and 27.01.2020, the defacto complainant or her son, daughter and mother-in-law have not gone to Sub Registrar Office, Manapparai, for execution of the above sale deed on 25.09.2019 and 27.01.2020. without the presence of the



defacto complainant, her son, daughter and mother-in-law, Id Sekar has fraudulently executed sale deeds bearing Doc Nos.372/2020, 483/2020 and 482/2020 in favour of the petitioners herein. When the same was questioned by the defacto complainant, the said Sekar abused her in filthy language and also threatened her. Eventhough the alleged sale deeds were executed on 25.09.2019, it was brought to the knowledge of the defacto complainant only on 08.08.2022. Hence, the complaint.

3. Heard both side and perused the materials available on record including the First Information Report.

4. It is seen that all the allegations are civil in nature, that apart, the defacto complainant lodged complaint and the same was not considered, therefore, she filed a petition for direction under Section 156(3) of Cr.P.C., and on such direction, FIR has been registered. Therefore, the custodial interrogation of the petitioner do not required. Hence, this Court is inclined to grant anticipatory bail to petitioners, with certain conditions.

5. Accordingly, the petitioners are ordered to be released on bail in the event of arrest or on their appearance, within a period of fifteen days from the date on which the order copy made ready, before the learned Judicial Magistrate(Special Court to try Land Grabbing Cases), Additional Mahila Court, Trichy, on condition that the petitioners shall execute a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) each with two sureties each for a like sum to the satisfaction of the respondent police or the police officer who intends to arrest or to the satisfaction of the learned Magistrate concerned, failing which, the petition for anticipatory bail shall stand dismissed and on further condition that:

[a] the petitioners 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 petitioners shall report before the respondent Police daily at 10.30 am., for a period of two weeks and thereafter, as and when required for interrogation.

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

[d] the petitioners 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 petitioners in accordance with law as if the conditions imposed and the petitioners released on bail by the



learned Magistrate/Trial Court himself as laid down by the 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 229A IPC.

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sd/-
19/04/2023

/ TRUE COPY /

/04/2023

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

RMK

TO

- 1 THE JUDICIAL MAGISTRATE,
(SPECIAL COURT TO TRY LAND GRABBING CASES),
ADDITIONAL MAHILA COURT, TRICHY.
- 2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
TRICHY DISTRICT.
- 3 THE INSPECTOR OF POLICE,
ANTI-LAND GRABBING SPECIAL CELL (DCB),
TRICHY.
- 4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.

+2. CC to M/S.R.R.KANNAN Advocate SR.No.6134

ORDER

IN

CRL OP(MD) No.7171 of 2023
Date :19/04/2023

SA/MMS/SAR.4/20.04.2023/3P/7C