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CRL OP(MD)N



22

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)

Date : 10.03.2023

PRESENT

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

CRL OP(MD)No.12488 of 2022

Sanjai

... Petitioner/Accused
Rank Not Known

Vs

The State rep.by
The Inspector of Police,
Land Grabbing Special Cell,
Commissioner Office,
Madurai city.
In Crime No.2 of 2022

... Respondent/Complainant

For Petitioner : Mr.A.S.Krishnan

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 petitioner/A4, who apprehends arrest at the hands of the
respondent police for the offences punishable under Sections 419,
420, 465, 467, 468, 471 and 447 IPC in Crime No.2 of 2022 on the
file of the respondent police, seeks anticipatory bail.

2.The case of the prosecution is that the petitioner and other
accused created forged document with regard to the property in
S.No.378/2A and transferred the same in the name of accused persons.
Hence, the case.

<https://www.hcma.gov.in>



3. Heard and perused the materials available in the records.

4. It is seen that totally there are five accused in this case and the petitioner is arrayed as A4. According to the petitioner, A1 purchased the property belonged to the defacto complainant by impersonating him. As far as A2 and A3 are concerned, they are witness to the said sale deed and the petitioner is a broker. The other accused were granted anticipatory bail.

5. Considering the facts and circumstances of the case, 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 on which the order copy made ready, before the learned Judicial Magistrate/Special Court for Land Grabbing, Madurai 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 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 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 at 10.30 A.M., for a period of four weeks and thereafter, as and when required for interrogation;

[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 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 229A IPC.

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

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TO

- 1.The Judicial Magistrate/Special Court for Land Grabbing,
Madurai.
- 2.Do through the Chief Judicial Magistrate,
Madurai.
- 3.The Inspector of Police,
Land Grabbing Special Cell,
Commissioner Office,
Madurai city.
- 4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

ORDER
IN
CRL OP(MD)No.12488 of 2022
DATE :10.03.2023

NA/CG/SAR-I/21.03.2023/3P/5C