



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 06/03/2023

WEB COPY

PRESENT

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

CRL OP(MD). No.22773 of 2022

1. Vellaiyammal

2. Sadhasivam

... Petitioners/Accused Nos.1&2

Vs

1.The Inspector of Police,
District Crime Branch,
Anti Land Grabbing Special Cell
Dindigul District
(Crime No. 40 of 2022).

... Respondent/Complainant

2.P.Selvam

...Petitioner/Intervener/
Defacto Complainant
in CRL MP(MD)No.310 of 2023

For Petitioner : Ms. Jameel Arasu.B,
Advocate.

For Respondent : Mr.R.M.Anbunithi,
Additional Public Prosecutor

For Intervenor : Mr.B.Rajesh Saravanan, Advocate

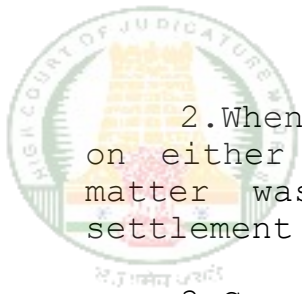
PETITION FOR ANTICIPATORY BAIL Under Sec.438 of Cr.P.C

PRAYER :-

For Anticipatory Bail in Crime No.40 of 2022 on the file of the respondent Police.

ORDER : The Court made the following order :-

The petitioners/A1 and A2, who apprehend arrest at the hands of the respondent police for the offences punishable under Sections 120(b), 406, 420, 465, 468, 471 and 506(i) of I.P.C., in Crime No.40 of 2022 on the file of the respondent police, seek anticipatory



2. When the matter is taken up for hearing, the learned Judge on either side would submit that in the mediation process, the matter was compromised between the parties and the terms of settlement agreement has also been produced before this Court.

3. Considering the facts and circumstances of the case and also considering the facts that the matter was compromised between the parties and the custodial interrogation of the petitioners are not required in this case, this Court is inclined to grant anticipatory bail to the petitioners with certain conditions.

4. 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 Special Court for Exclusive Trial of Land Grabbing Cases, Madurai, on condition that the petitioner 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 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 have been imposed and the petitioners 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.

5. The terms of settlement agreement signed by both the parties shall form part of the Court records.

sd/-

06/03/2023

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/03/2023

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



TO

1. THE JUDGE,
SPECIAL COURT FOR EXCLUSIVE TRIAL OF LAND GRABBING CASES,
MADURAI.

2 THE INSPECTOR OF POLICE,
DISTRICT CRIME BRANCH,
ANTI LAND GRABBING SPECIAL CELL
DINDIGUL DISTRICT

3 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

ORDER

IN

CRL OP(MD) No.22773 of 2022

Date :06/03/2023

RK/SAR-1 (15/03/2023) 3P/4C