



CRL OP(MD). No.10726 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 19/07/2024

PRESENT

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

CRL OP(MD). No.10726 of 2024

Arumugam

... Petitioner/Petitioner/9th Accused

Vs

The Inspector of Police,
Land Grabbing Special Cell,
Dindigul District.
Crime No. 123 of 2013..

... Respondent/Respondent/Complainant

For Petitioner : Mr.N. Balasubramanian,
Advocate.

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

PETITION FOR ANTICIPATORY BAIL Under Sec.482 of BNSS / 438 of Cr.P.C

PRAYER :-

For Anticipatory Bail in Crime No.123 of 2013 on the file of the Respondent police.



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ORDER : The Court made the following order :-

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The petitioner/A9, who apprehends arrest at the hands of the respondent police for the alleged offences punishable under Sections 420, 465, 468, 447, 471, 120(b), 423, 167 and 506(i) IPC in Crime No.123 of 2013 on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that the property in S.NO.160/4C, Seelapadi Village has been sold by the petitioner and others without having any right or title or possession. Hence, the complaint.

3.The learned counsel for the petitioner would submit that the patta in respect of the property originally stood in the name of the grandfather of the petitioner and after his demise, it devolved upon his father and after his demise, the petitioner, his brothers and mother became entitled to the property and they sold the same.

4. The learned Additional Public Prosecutor appearing for the respondent police would submit that in this case, investigation has been completed and charge sheet has also been filed and it yet to be numbered. He would further submit that in this case, co-accused have already been released on bail.



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5. Considering the facts and circumstances of the case and also considering the fact that the co-accused have already been released on bail, 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 Judicial Magistrate No.II, Dindigul, 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 appear before the trial court on every hearing dates.

(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;



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(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]; and;

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

sd/-
19/07/2024

/ TRUE COPY /

/07/2024
Sub-Assistant Registrar (CS-I/ II / III/ IV)
Madurai Bench of Madras High Court,
Madurai - 625 023.

SKN

TO

1.THE JUDICIAL MAGISTRATE NO.II, DINDIGUL,

2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
DINDIGUL.

3.THE INSPECTOR OF POLICE,
LAND GRABBING SPECIAL CELL,
DINDIGUL DISTRICT.



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

+1 CC to M/s.N.BALASUBRAMANIAN, Advocate (SR-8299[I] dated 23/07/2024)

ORDER
IN
CRL OP(MD) No.10726 of 2024
Date :19/07/2024

RK/VR (29/07/2024) 5P / 6C

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