



CRL OP(MD) No.15349 of 2023

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

Thursday, the Fourth day of January Two Thousand and Twenty Four

PRESENT

The Hon`ble Mr.Justice M.DHANDAPANI

CRL OP(MD) No.15349 of 2023

D.THANGAPANDIAN

... PETITIONER / ACCUSED No.12

Vs

THE INSPECTOR OF POLICE
CBCID, THENI.
CRIME NO.2 OF 2022.

... RESPONDENT / DEFACTO COMPLAINANT

For Petitioner : M/S.AJMAL KHAN.S.A. Advocate

For Respondent : MR.B.NAMBISELVAN, Additional Public Prosecutor

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

PRAYER:

FOR ANTICIPATORY BAIL IN CRIME NO.2 OF 2022 ON THE FILE OF THE
RESPONDENT POLICE.

ORDER : The Court Made the following order :-

The petitioner, who apprehends arrest at the hands of the respondent police for
the alleged offence under Sections 409, 465, 466, 468, 471, 472, 477(A) r/w. 109 IPC



CRL OP(MD) No.15349 of 2023

and 13(2) r/w. 13(1)(c) and 13(1)(d) of Prevention of Corruption Act, 1988 and 13(2) r/w. 13(1)(a) of Prevention of Corruption (Amendment) Act, 2018, in Crime No.2 of 2022, seeks anticipatory bail.

2.The case of the prosecution is that the patta has been granted by the accused persons in respect of Government poramboke land in favour of the third party, without obtaining any prior permission for granting the patta and the accused persons have used their username and password in Tamilnilam Software and uploaded the documents for the alleged issuance of the patta. Hence, the complaint.

3.The learned counsel appearing for the petitioner would submit that the petitioner did not commit any offence as alleged by the prosecution and he has been falsely implicated in this case. He would further submit that the petitioner is in possession and enjoyment of the property and considering his possession, the Revenue Officials have issued patta and subsequently, he alienated the property in favour of the third party and it is legally permissible until the patta granted to the petitioner is cancelled. Hence, he prays for grant of anticipatory bail to the petitioner.

4.The learned Additional Advocate General appearing for the respondent Police would submit that for the illegal act committed by the Revenue Officials in issuing the patta in favour of the third party with respect to Government Poramboke land, criminal proceedings were initiated against the concerned Officials. The accused



CRL OP(MD) No.15349 of 2023

persons moved anticipatory bail before this Court in Crl.O.P(MD).Nos.10767, 9362, 8983, 9411, 10770 and 10853 of 2023 and this Court dismissed those petitions considering the gravity of the offence committed by the accused persons, against which, they have preferred appeals before the Hon'ble Supreme Court of India and the same were also dismissed.

5. Considering the facts and circumstances of the case and the serious allegations levelled against the petitioner, this Court is not inclined to grant anticipatory bail to the petitioner.

6. Accordingly, this Criminal Original Petition is dismissed.

sd/-

04/01/2024

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/01/2024

Sub-Assistant Registrar

(C.S.I /II /III /IV)

Madurai Bench of Madras High Court,
Madurai - 625 023.

SSB
TO

1 THE INSPECTOR OF POLICE
CBCID, THENI.



CRL OP(MD) No.15349 of 2023

WEB COPY

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

+1 CC to M/s.S.A.AJMAL KHAN, Advocate (SR-161[I] dated 04/01/2024)

ORDER
IN
CRL OP(MD) No.15349 of 2023
Date :04/01/2024

PKP/JGB/SAR /23.01.2024/ 4P/ 4C

Madurai Bench of Madras High Court is issuing certified
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