



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

Tuesday, the Thirtieth day of April Two Thousand Nineteen

PRESENT

The Hon`ble Mr.Justice M.DHANDAPANI

CRL OP(MD) No.6566 of 2019

SUBBURAJ

... PETITIONER / ACCUSED No.7

Vs

THE STATE REP.BY
THE INSPECTOR OF POLICE
VARUSANADU POLICE STATION,
THENI, THENI DISTRICT.
Crime No.46 of 2019

... RESPONDENT / COMPLAINANT

For Petitioner : M/S.J.SULTHAN BASHA, Advocate for
M/S.AJMAL ASSOCIATES Advocate

For Respondent : Mr.S.CHANDRASEKAR, Additional Public Prosecutor

PETITION FOR BAIL Under Sec. 439 Cr.P.C.

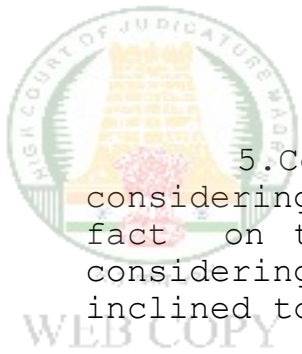
ORDER : The Court Made the following order :-

The petitioner, who was arrested and remanded to judicial custody since 01.04.2019 for the offences punishable under Sections 417,420,419,468,471,465 of IPC Crime No. 46 of 2019 on the file of the respondent police, seeks bail.

2. The case of the prosecution is that the petitioner along with others created bogus records as if some of the petitioners are the owner of the property. Hence the complaint.

3.The learned for the petitioner would submit that the petitioner is an innocent person and he has committed any offence as alleged by the prosecution. He would also submit the petitioner in Crl.O.P(MD) No. 5448 of 2019 is ready to cancel the sale deed and he has also given an undertaking to cancel the sale deed.

4.The learned Additional Public Prosecutor appearing for the State did not dispute the fact submitted by the learned counsel for the petitioner. He would also submit that co-accused in this case was granted bail by this Court. He would also submit that the petitioner herein is a document writer.



5. Considering the facts and circumstances of the case and considering the period of incarceration and also considering the fact on the accused has agreed to cancel the sale deed and also considering the fact that co accused was granted bail, this Court is inclined to grant bail to the petitioner.

6. Accordingly, the petitioner is ordered to be released on bail on his executing a bond for a sum of Rs.10,000/- (Rupees Ten Thousand Only) with two sureties, of whom, one should be a blood related surety, each for a like sum to the satisfaction of the learned Judicial Magistrate, Theni and on further condition that:

(a) the sureties shall affix their photographs and left thumb impression in the surety bond and the concerned 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 until further orders;

(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]; and;

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

sd/-
30/04/2019

/ TRUE COPY /

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

TO

1. THE JUDICIAL MAGISTRATE,
THENI.

<https://hcservices.reports.gov.in/hcservices/>
2. THE CHIEF JUDICIAL MAGISTRATE,
THENI DISTRICT.



3. THE INSPECTOR OF POLICE
VARUSANADU POLICE STATION,
THENI, THENI DISTRICT.

4. THE OFFICER INCHARGE,
DISTRICT PRISON, THENI.

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

+1. CC to M/S.AJMAL ASSOCIATES Advocate SR.No.7921

ORDER

IN

CRL OP(MD) No.6566 of 2019

Date : 30/04/2019

TK/VR/SAR-2/30.04.2019/3P/7C