



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

Date : 30/11/2020

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PRESENT

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

CRL OP(MD). No.13425 of 2020

1.Rajeshwari @ Mahalakshmi
2.Chitra @ Chinthamani

... Petitioners/Accused
No.1 and 4

Vs

The State rep.by
The Inspector of Police,
Tamil University Police Station,
Thanjavur District.
Crime No.862/2020.

... Respondent/Complainant

For Petitioners : M/s.D.Saranya,
Advocate.

For Respondent : Mr.K.Suyambulinga Bharathi,
Government Advocate (Crl.Side)

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

PRAYER :-

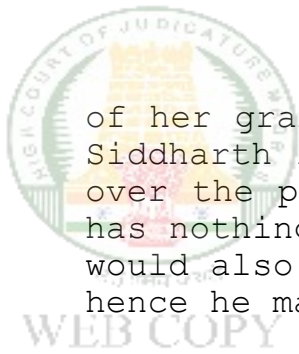
For Bail in Crime No.862 of 2020 on the file of the Respondent Police

ORDER : The Court made the following order :-

The petitioner/A1 and A4, who were arrested and remanded to judicial custody on 23.09.2020 for the offences punishable under Sections 416, 419, 420, 120, 464, 465, 468, 471 of IPC on the file of the respondent police seek bail.

2.The case of the prosecution is that the first accused without having any title over the subject property comprised in S.No.207, T.S.No.33/2 situated at Thanjavur District executed settlement deed in favour of her grand daughter with the help of other accused persons. Hence the complaint.

3.The learned counsel for the petitioners would submit that the petitioners are arrayed as A1 and A4 and they were arrested on 23.09.2020 and they did not commit any offence as alleged by the prosecution. The first petitioner executed settlement deed in favour



of her grand daughter in respect of subject property in which one Siddharth is disputing the said deed, since he is also having title over the property. In respect of second petitioner is concerned she has nothing to do with the offence as alleged by the prosecution. He would also submit that the petitioner is in jail for nearly 68 days, hence he may be granted bail.

4. The learned Government Advocate(Crl.Side) would submit that the accused persons without having any title over the subject property the first accused executed settlement deed in favour of her grand daughter and infact the defacto complainant is the Sub Registrar of the concerned Sub Registrar Officer and without having title the first accused executed settlement deed in favour of her grand daughter. Investigation is still pending.

5. It is seen that there are four accused in this case and the petitioner herein is arrayed as A1 and A4. According to the case of prosecution the first accused without having title over the subject property executed settlement deed in favour of her grand daughter. According to the petitioner the petitioner was only brought to the registration office and stood as witness and she only signed as witness

6. Taking note of the above facts and circumstances of the case and also taking into consideration the period of incarceration, this Court is inclined to grant bail to the petitioners subject to the following conditions:

7. Accordingly, the petitioners are ordered to be released on bail on their executing a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) each with two blood sureties each for a like sum to the satisfaction of the Additional Mahila Court(Judicial Magistrate No.2) Thanjavur District.

i) the sureties shall affix their photographs and left thumb impression in the surety bond and the Magistrate/concerned court may obtain a copy of their Aadhar card or Bank Pass Book to ensure their identity

ii) the petitioners shall report before the respondent police daily at 10.30 a.m until further orders.

iii) the petitioners shall not tamper with evidence or witness.

iv) the petitioners shall not abscond during trial.

v) 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



vi) If the accused thereafter absconds, a fresh FIR can be registered under Section 229A IPC.

sd/-
30/11/2020

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/ /2020

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

Note : In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant concerned.

TO

1. THE ADDITIONAL MAHAILA COURT,
(JUDICIAL MAGISTRATE NO.2),
THAJAVUAR DISTRICT.
2. DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
THANJAVUR DISTRICT AT KUMBAKONAM.
3. THE INSPECTOR OF POLICE,
TAMIL UNIVERSITY POLICE STATION,
THANJAVUR DISTRICT.
4. THE SUPERINTENDENT,
SPECIAL PRISON FOR WOMEN, TRICHY.
5. THE ADDITIONAL PUBLIC PROSECUTOR
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

ORDER
IN
CRL OP(MD) No.13425 of 2020
Date :30/11/2020

AAV
TK/PN/SAR.2/30.11.2020/3P/6C