

IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Friday, the Sixteenth day of April Two Thousand Twenty One

PRESENT

The Hon`ble Mr Justice M.DHANDAPANI

CRIMINAL ORIGINAL PETITION No.19718 of 2020

1 T.V.GANESAN
2 A.V.GOBAL
3 DAYANITHI
4 V.NAGAMMAL
5 DEEPAN
6 M.MUNUSAMY

[PETITIONERS / ACCUSED]

Vs

STATE REP BY [RESPONDENT]
THE INSPECTOR OF POLICE,
DISTRICT CRIME BRANCH POLICE STATION,
THIRUVALLUR DISTRICT.
CRIME NO.24 OF 2020

For Petitioner : M/S R.SASIKUMAR Advocate

For Respondent : M/S.S.KARTHIKEYAN, Additional Public Prosecutor

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

ORDER : The Court Made the following order :-

The petitioners, who apprehend arrest for the alleged offence under Sections 417, 420, 465, 468, 471, 473, 476 and 506(i) of IPC in Crime No.24 of 2020, on the file of the respondent police, seeks anticipatory bail.

2.Heard both sides.

3.The case of the prosecution is that, the petitioners herein have created bogus document and executed a settlement deed in favour of their relatives. Hence, the complaint.

4.The learned counsel appearing for the petitioners would submit that the petitioners did not commit any offence as alleged by the prosecution. He further submitted that no sale deed was executed and further submitted that the petitioners undertakes that no sale deed would be executed using fake patta and seek for grant of anticipatory bail to the petitioners.

5.The learned Additional Public Prosecutor would submit that the petitioners joined together and created fake patta and tried to execute sale deed in favour of other accused persons with the help of Sub-Registrar, Gummudipoondi. Hence, he vehemently opposed for grant of anticipatory bail to the petitioner.

6.Considering the facts and circumstances of the case and also the petitioners have given an undertaking that hereafter they will not encumber the property of the defacto complainant, this Court is inclined to grant anticipatory bail to the petitioners.

7.Accordingly, the petitioners are ordered to be released on bail in the event of arrest or on their appearance before the learned District Munsif cum Judicial Magistrate, Gummudipoondi, within a period of 15 days from the date of receipt of a copy of this order, on executing 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 and on further conditions that:

[a] 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 daily at 10.30 a.m. for a period of two weeks and thereafter, as and when required for interrogation.

[c] the petitioners shall not abscond either during investigation or trial.

[d] the petitioners shall not tamper with evidence or witness 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].

[f] If the accused thereafter absconds, a fresh FIR can be registered under Section 229-A IPC.

-sd/-
16/04/2021

This order, on being produced, be punctually observed and carried into execution by all concerned

TRUE COPY

Sub-Assistant Registrar (Statistics/C.S.)
High Court, Madras - 600 104.

TO

1 THE DISTRICT MUNSIF CUM
JUDICIAL MAGISTRATE, GUMMUDIPOONDI.

2 THE CHIEF JUDICIAL MAGISTRATE
THIRUVALLUR [FOR INFORMATION]

3 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

4 THE INSPECTOR OF POLICE,
DISTRICT CRIME BRANCH POLICE STATION,
THIRUVALLUR DISTRICT.

+1 CC to M/S R.SASIKUMAR Advocate on payment of necessary charges
SR.No.4881

सत्यमेव जयते

CRL OP.19718/2020

Date :16/04/2021

cs 27/04/2021

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