



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)
Date : 01/10/2021
PRESENT

WEB COPY

The Hon`ble Mr.Justice B.PUGALENDHI

CRL OP(MD). No.14861 of 2021

Veerappan Petitioner/Sole Accused

Vs

The State rep.by
The Inspector of Police
Adirampattinam Police Station
Thanjavur District
Crime No.689 of 2021 ... Respondent/Complainant

For Petitioner : Mr.K.MAHENDRAN
Advocate.

For Respondent : Mr.T.SENTHIL KUMAR
Additional Public Prosecutor(crl.side)

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

PRAYER :-

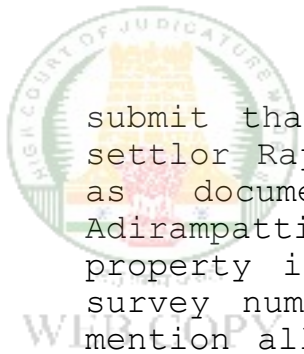
For Bail in Crime No.689 of 2021 on the file of the respondent police.

ORDER : The Court made the following order :-

The petitioner/sole accused, who was arrested on 11.09.021 for the offence under Sections 420, 465, 466, 467, 468 and 471 I.P.C. in Crime.No.689 of 2021 on the file of the respondent police, seeks bail.

2.The case of the prosecution is that the defacto complainant who is a Village Administrative Officer, has issued a Chitta to one Rajalakshmi, after that, the petitioner who is a document writer, has incorporated one more survey number belongs to some other person in the said Chitta for the purpose of execution of settlement deed. Based on the Chitta, the settlement deed was executed by the said Rajalakshmi in favour of her daughter. Thereafter, when the settlee approached the defacto complainant for change of patta, the defacto complainant came to know that the petitioner only manipulated the Chitta issued by him. Hence, the complaint.

3.The learned counsel appearing for the petitioner submits that the settlement deed prepared by him only after verification of the documents produced by the settlor Rajalakshmi. He would further



submit that one Palanivel executed a sale deed in favour of the settlor Rajalakshmi on 18.08.2008 and the same has been registered as document number 1514/2018 at Sub Registrar Office, Adirampattinam. In the above said sale deed, the schedule of property in Survey No.457/1B has been mentioned along with other survey numbers. Further, the settlor requested the petitioner to mention all the survey numbers in the sale deed to be included in the settlement deed. Therefore, the settlement deed executed not only based on the Chitta issued by the defacto complainant but only based on the sale deed dated 18.08.2008. The allegation levelled against the petitioner is that he incorporated some other person's survey number is a false and baseless one. The sale document dated 18.08.2008 clearly establishes the fact that the disputed survey number also belongs to the settlor and he is having sufficient documents to establish the same. The petitioner did not commit any offence as alleged by the defacto complainant, he is languishing in jail from 11.09.2021 and hence, he seeks for grant of bail.

4. The learned Additional Public Prosecutor appearing for the respondent police would submit that that the allegation as against the petitioner is that the survey number which belongs to some other person has been incorporated in the Chitta given by the defacto complainant. He would further submit that the investigation is yet to be completed.

5. Taking into consideration of the facts and circumstances of the case, the nature of allegation levelled as against the petitioner and also the period of incarceration, this Court is inclined to grant bail to the petitioner.

6. Accordingly, this Criminal Original Petition is allowed and the petitioner is ordered to be released on bail on his executing a bond for a sum of Rs.25,000/- (Rupees twenty five thousand only) with two sureties each for a like sum to the satisfaction of the learned Judicial Magistrate, Pattukottai and on further condition 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 Aadhaar card or bank pass book to ensure their identity.

[b] the petitioner shall appear before the respondent police daily at 10.30 a.m until further orders.

[c] the petitioner shall not tamper with the 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 petitioners 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/-
01/10/2021

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/ /2021

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 JUDICIAL MAGISTRATE
PATTUKOTTAI.
 - 2.DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
THANJAVUR DISTRICT AT KUMBAKONAM.
 - 3.THE OFFICER INCHARGE
DISTRICT JAIL, PUDUKOTTAI.
 - 4.THE INSPECTOR OF POLICE
ADIRAMPATTINAM POLICE STATION
THANJAVUR DISTRICT
 - 5.THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.
- +1. CC to Mr.K.MAHENDRAN, Advocate SR.No.6830

ORDER

IN

CRL OP(MD) No.14861 of 2021
Date :01/10/2021

SA/SKN/SAR.3/01.10.2021/3P/7C