



IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Wednesday, the Twenty Ninth day of June Two Thousand Twenty Two

PRESENT

The Hon`ble Mr Justice G.K. ILANTHIRAIYAN

CRIMINAL ORIGINAL PETITION No.12585 of 2022

1 VINODHAN [PETITIONERS/ ACCUSED]
2 ELUMALAI
3 PADMA

Vs

STATE REP BY [RESPONDENT]
THE INSPECTOR OF POLICE,
D4-MELPADI POLICE STATION,
MELPADI, VELLORE DISTRICT.
(CRIME NO.234 OF 2021)

For Petitioner : M/S. S.M.NANDHIE DEVHAN Advocate

For Respondent : MR.A.DAMODARAN, 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 at the hands of the respondent police for the offences punishable under Sections 420, 465 & 468 of IPC in Crime No. 234 of 2021, seek anticipatory bail.

2. The case of the prosecution is that the petitioners have given a false information to the Revenue authorities and obtained a Legal heirship Certificate without showing the names of the de-facto complainant and created a settlement deed in favour of the 2nd petitioner. Hence, the complaint.

3. This Court has already granted interim anticipatory bail to the petitioners on 01.06.2022 in CrI.O.P.No.12585 of 2022, on condition that the petitioners shall cancel the document in dispute.

4. Accordingly, the learned counsel appearing for the petitioners submitted that the sale deed executed by A1 & A3 in favour of A2 was cancelled by way of cancellation of sale deed dated 21.06.2022 registered by Doc No.6234 of 2022.



5. Considering the above fact and circumstances of the case, this Court is inclined to grant anticipatory bail to the petitioners with certain conditions.

6. Accordingly, the petitioners are ordered to be released on bail in the event of arrest or on their appearance, within a period of fifteen days from the date on which the order copy made ready, before the learned Judicial Magistrate, Katpadi, on condition that each of the petitioners shall execute a separate bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) 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, failing which, the petition for anticipatory bail shall stand dismissed and on further condition that:

[a] the petitioners and 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 1 & 2 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. The 3rd petitioner shall report before the respondent police as and when required for interrogation.

[c] the petitioners shall not tamper with evidence or witness either during investigation or trial.

[d] the petitioners 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 petitioners 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 229A IPC.

WEB COPY

-sd/-

29/06/2022

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 JUDICIAL MAGISTRATE,
KATPADI.

2 THE CHIEF JUDICIAL MAGISTRATE
VELLORE [FOR INFORMATION]

3 THE INSPECTOR OF POLICE,
D4-MELPADI POLICE STATION,
MELPADI, VELLORE DISTRICT.

4 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

+1CC to S.M.NANDHIE DEVHAN Advocate on payment of necessary charges SR.No.10266

CRL OP.12585/2022

Date :29/06/2022

CSK 05/07/2022