



Crl.OP.No.16093 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 12.07.2022

CORAM

THE HON'BLE MR. JUSTICE **G.K.ILANTHIRAIYAN**

Crl.O.P.No.16093 of 2022

Selvasundari

...Petitioner

Vs.

State, Rep. by
The Inspector of Police,
CCB-II Police Station,
Chennai.
Crime No.79 of 2022

...Respondent

PRAYER:-Criminal Original Petition is filed under Section 439 of Cr.P.C.

praying to enlarge the petitioner/accused on bail in Crime No.79 of 2022 filed by the respondent police.

For Petitioner : Mr.P.Saranath

For Respondent : Mr.A.Damodaran,
Additional Public Prosecutor



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ORDER

The petitioner, who was arrested and remanded to judicial custody on 23.05.2022 for the offence under Sections 465, 467, 468, 471, 406, 409, 420 and 120 B of IPC, in Crime No.79 of 2022 on the file of the respondent police, seeks bail.

2.The case of the prosecution is that, there are totally five accused, in which, the petitioner is arrayed as A3, who is Joint SRO, Thiruporur. It is alleged that the petitioner registered a settlement deed in favour of A2 which was executed by A1, on the strength of the fabricated documents in favour of A1 vide Document No.1512 of 1971. It is also alleged that A4, who is working as an Assistant under the petitioner, fabricated the sale deed in favour of the first accused in respect of the subject property to an extent of 5.88 acres as if it was purchased by A1 and thereafter executed a settlement deed in favour of A2. The petitioner registered a settlement deed in favour of A2 in respect of the property owned by the defacto complainant which was purchased by him in the year 1981 vide Document No.2441 of 1980. Hence, the case.



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3.The learned counsel appearing for the petitioner submitted that the petitioner is an innocent person and he is nothing to do with the allegation as alleged by the prosecution. That apart, the petitioner was arrested and remanded to judicial custody on 23.05.2022. Hence, he prays for grant of bail to the petitioner.

4.The learned Additional Public Prosecutor submitted that the petitioner, who is a Joint Sub Registrat, colluded with other accused and with a help of forged documet, registered a settlement deed in favour of A2 in respect of the property owned by the defacto complainant which was purchased by him in the year 1981 vide Document No.2441 of 1980. He further submits that already this Court dismissed the petitioner's bail petition in Crl.O.P.No.14632 of 2022 dated 27.06.2022. Hence, he opposed to grant bail to the petitioner.

5. Considering the facts and circumstances of the case and also considering the period of incarceration undergone by the petitioner i.e., from 23.05.2022, this Court is inclined to grant bail to the petitioner.



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6. Accordingly, 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 blood related sureties**, each for a like sum to the satisfaction of the learned **1st Judicial Magistrate Court, Alandur** 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 petitioner shall report before the respondent police twice daily at 10.30.a.m., and 05.30.p.m., for a period of four weeks and thereafter as and when required for interrogation.

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

[d] the petitioner 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



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down by the Hon'ble Supreme Court in P.K.Shaji vs. State of Kerala
WEB CRYSTAL [(2005)AIR SCW 5560].

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

12.07.2022

Sma

To

1. 1st Judicial Magistrate Court,
Alandur.
- 2.The Inspector of Police,
CCB-II Police Station,
Chennai.
3. The Central Puzhal,
Prison.
- 4.The Public Prosecutor,
High Court of Madras.



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G.K.ILANTHIRAIYAN, J.

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