



CrI.OP.No.19645 of 2022

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 22.08.2022

CORAM

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

CrI.OP.No.19645 of 2022

P.Jayaraj

..Petitioner

Vs.

The State rep by Inspector of Police,
CCB Police Station, Tiruppur City,
Tirrupur District.
(Cr.No.13 of 2022)

..Respondent

PRAYER:Criminal Original Petition is filed under Section 439 of Cr.P.C. praying to enlarge the petitioner on bail in Cr. No.13 of 2022 on the file of the respondent, pending investigation.

For Petitioner : Mr.V.Ashok Kumar

For Respondent : Mr.A.Gopinath,
Government Advocate (CrI.side)

ORDER

The petitioner, who was arrested and remanded to judicial



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custody on 08.07.2022 for the offence under Sections 420, 419, 465, 468, 471, 34 of IPC in crime No.13 of 2022 on the file of the respondent police, seeks bail.

2. The case of the prosecution is that the petitioner is arrayed as A3 out of 5 accused persons. A1 doesn't own any property. He impersonated himself as owner of the property and executed sale deed in favour of the *de-facto* complainant and received a sum of Rs.1,22,79,000/- for sale consideration. Thereafter, the *de-facto* complainant found that the subject property was not owned by A1 and it belongs to some other person. Hence, the complaint.

3. The learned counsel appearing for the petitioner would submit that the petitioner is an innocent person and he has been falsely implicated in this case. He would further submit that the petitioner was arrested and remanded to judicial custody on 08.07.2022. He would further submit he is ready and willing to deposit some title documents for a reasonable value as imposed by this Court to show his bonafide.



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Hence, he prays for grant of bail to the petitioner.

4. Considering the period of incarceration by the petitioner from the date of his arrest i.e. 08.07.2022, this Court is inclined to grant bail to the petitioner.

5. Accordingly, the petitioner is directed to deposit original title deeds (stand in the name of the petitioner or in name of his friends or relatives) not less than value of Rs.50 Lakhs along with the valuation certificate obtained from the authority concerned and on such deposit, the 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 sureties, each for a like sum to the satisfaction of the Learned Judicial Magistrate No.II, Tiruppur 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 daily



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at 10.30 a.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 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.

22.08.2022

mpl



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G.K.ILANTHIRAIYAN, J.

mpl

To

- 1.The Judicial Magistrate No.II,
Tiruppur.
- 2.The Inspector of Police,
CCB Police Station, Tiruppur City,
Tiruppur District.
- 3.District Jail,
Tiruppur.
- 4.The Public Prosecutor,
High Court of Madras

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