



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 20.04.2022

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PRESENT

The Hon`ble Mr.Justice **K.MURALI SHANKAR**

CRL OP(MD) . No.6969 of 2022

1. Ananthi

2. V.Manikandan

... Petitioners/Accused Nos. 7&8

Vs

The State of Tamilnadu
represented by its
The Inspector of Police,
District Crime Branch,
Dindigul District.
(Crime No.9 of 2022)

...Respondent/Complainant

For Petitioners: Mr.T.Ramasamy, Advocate.

For Respondent : Mr.M.Muthumanikkam,
Government Advocate (Crl. Side).

PETITION FOR ANTICIPATORY BAIL Under Section 438 of Cr.P.C.

PRAYER :-

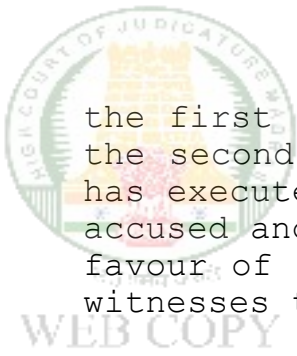
For Anticipatory Bail in Crime No.9 of 2022 on the file of the Respondent police.

ORDER : The Court made the following order :-

The petitioners/A.7 & A.8, who apprehend arrest at the hands of the respondent police for the offences punishable under Sections 420, 465, 468 and 471 IPC, in Crime No.9 of 2022 on the file of the respondent police, seek anticipatory bail.

2.The case of the prosecution is that the petitioners and other accused had created false documents in the name of the defacto complainant and sold the property to another person. Hence, the complaint.

3.The learned Government Advocate (Criminal Side) appearing for the respondent police would submit that the defacto complainant has executed a power of attorney in favour of the first accused, that



the first accused has sold the said property to his brother, who is the second accused. He would further submit that the second accused has executed a sale deed of the said property in favour of the first accused and thereafter the first accused has executed a sale deed in favour of the ninth accused and that the petitioners herein are the witnesses to the sale deed executed in favour of the ninth accused.

4.The learned counsel for the petitioners would submit that the two Sub Registrar and the document writer were already granted anticipatory bail by this Court.

5.Considering the above facts and circumstances and also the nature of the charges levelled against the petitioners and also the facts that the accused 3 to 5 were already granted anticipatory bail by this Court and that the petitioners are not having any bad antecedents, 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 of receipt of a copy of this order, before the learned Judicial Magistrate No.II, Dindigul, on condition that the petitioners shall execute a bond for a sum of **Rs.25,000/- (Rupees Twenty Five Thousand only)** each with two sureties each for a like sum to the satisfaction of the learned Magistrate concerned and on further conditions 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 Aadhaar card or bank pass book to ensure their identity.

[b]the second petitioner shall report before the respondent police daily at 10.30 a.m., for a period of one month and thereafter, as and when required for interrogation and the first petitioner shall report before the respondent police as and when required for interrogation.

[c]the petitioners shall not tamper with the 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 229-A IPC.

sd/-
20/04/2022

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/ /2022

Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

CSM

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 NO.II,
DINDIGUL
- 2 DO THROUGH:
THE CHIEF JUDICIAL MAGISTRATE,
DINDIGUL DISTRICT.
- 3 THE INSPECTOR OF POLICE
DISTRICT CRIME BRANCH,
DINDIGUL DISTRICT.
- 4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

ORDER
IN
CRL OP(MD) No.6969 of 2022
Date :20/04/2022

PKP/JM/SAR-1/26.04.2022/3P/5C