



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)

Date : 12/10/2022

PRESENT

The Hon`ble Mr.Justice A.A.NAKKIRAN

CRL OP(MD). No.18160 of 2022

Rajalakshmi

... Petitioner/Accused No.3

Vs

The State represented by
The Inspector of Police,
Kallal Police Station,
Sivagangai District.
(In Crime No.133/2022).

... Respondent/Complainant

For Petitioner : M/s.Rameshkumar S,
Advocate.

For Respondent : Mr.M.Muthumanikkam,
Counsel for Government of
Tamil Nadu(Crl.Side)

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

PRAYER :-

For Anticipatory Bail in Cr No.133/2022 on the file of the respondent police.

ORDER : The Court made the following order :-

The petitioner/Accused No.3, apprehending arrest at the hands of the respondent police for the alleged offence punishable under Sections 419, 420, 465, 467, 468, 471 and 120(B) of IPC, in Crime No.133 of 2022 on the file of the respondent police, seeks anticipatory bail.

2.The case of the prosecution is that on 21.09.2015, the petitioner along with other accused persons have conspired together and created a forged document and sold the property belongs to the defacto complainant.

3.On the side of the petitioner, it is stated that the defacto complainant and the petitioner are family members and there is enmity between them regarding property dispute. The A2 has been remanded and released on bail by this Court and A4 was granted anticipatory bail by the Sessions Court. The petitioner is A3.



4. On the side of the respondent police it has been stated that totally there are four accused in this case. All are joined together, created forged Aadhar cards, Pan cards and sold the properties. A4 is subsequent purchaser. A2 was released on bail by this Court and A4 was granted anticipatory bail by the Sessions Court. A1 is still in custody. This petitioner is A3. He strongly opposed the grant of bail.

5. Considering the facts and circumstances of the case and considering the involvement of the petitioner in the crime, co-accused in this case have released on bail and anticipatory bail, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions.

6. Accordingly, this Criminal Original Petition is allowed and the petitioner is ordered to be released on bail in the event of arrest or his appearance, within a period of fifteen days from the date of receipt of a copy of this order, before the Judicial Magistrate, Karaikudi, on condition that the petitioner shall execute 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 Magistrate concerned and on further conditions that:

(a) the petitioner and the sureties shall affix their photographs and left thumb impression in the surety bond and the learned Magistrate may obtain a copy of their Aadhaar card or bank pass book to ensure their identity;

(b) the petitioner shall report before the respondent police daily at 10:30 am until further orders;

(c) the petitioner shall not tamper with the evidence or witness either during investigation or trial;

(d) the petitioner shall be present before the Court on hearing dates and before the respondent police as and when required;

(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]; and;

(f) if the accused/ petitioner thereafter absconds, a fresh FIR can be registered under Section 229-A IPC.

sd/-

12/10/2022

/ TRUE COPY /

/ /2022

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,
KARAIKUDI.
- 2 DO-THROUGH :
THE CHIEF JUDICIAL MAGISTRATE, SIVAGANGAI DISTRICT.
- 3 THE INSPECTOR OF POLICE
KALLAL POLICE STATION, SIVAGANGAI DISTRICT.
- 4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.

ORDER

IN

CRL OP(MD) No.18160 of 2022

Date :12/10/2022

SS/GB/SAR /27/10/2022/ 3P 5C