



Crl.O.P.No.28423 & 28756 of 2023

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 22.12.2023

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THE HON'BLE MR. JUSTICE **C.V.KARTHIKEYAN**

Crl.O.P.No.28423 & 28756 of 2023

1.Mohamedethreesh

@ Mohamedethreesh Abdul Jabbar S/o. Abdul Jabbar

2.Mani S/o. Chinnaiya

...Petitioners/Accused 8 & 9
in Crl.O.P.No.28423 of 2023

Kannan S/o. Subburaj

...Petitioner/Accused-7
in Crl.O.P.No.25756 of 2023

Vs.

State represented by
The Inspector of Police,
District Crime Branch Police Station,
Coimbatore.

(Crime No.24 of 2023)
Crl.O.Ps

...Respondent in both

COMMON PRAYER:

Criminal Original Petitions is filed under Section 439 of Cr.P.C.
praying to enlarge the petitioners on bail concerned in Crime No.24 of
2023 on the file of the respondent police, on such terms and conditions.



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(In both Crl.O.Ps)

For Petitioners : Mr.S.Saravanan

For Respondent : Mr.R.Kishore Kumar
Government Advocate (Crl. Side)

COMMON ORDER

A7 has filed Crl.O.P.No.25756 of 2023 and A8 and A9 have filed Crl.O.P.No.28423 of 2023, both in Crime No.24 of 2023, registered by the respondent police for the offences punishable under Sections 419, 420, 465, 468, 471, 120B of IPC. The petitioners had been taken into custody on 31.10.2023.

2.It is the case of the prosecution that the defacto complainant, had given the title deeds of his property to A1 to generate finance for the purpose of marriage in the family of the defacto complainant. It appears that A1, by retaining the documents, had induced A2 to impersonate the titleholder and the property had been sold to A4. The present petitioner/A3 is alleged to have obtained necessary documents of the defacto complainant for the purpose of impersonation at the time of registration.



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3.It is stated that there are 14 accused and A12, A13 and A14 are absconding and notices under Section 41-A of Cr.P.C., had been issued to A10 and A11. Investigation has proceeded to a fair extent.

4.It is to be noted that one of the accused had sought bail in Crl.O.P.No.27688 of 2023 and bail had been granted by an order dated 15.12.2023.

5.Taking into consideration the period of incarceration, I am inclined to grant bail to the petitioners in both the Crl.O.Ps., subject to the following conditions:

6.Accordingly, the petitioners in both the Crl.O.Ps., are ordered to be released on bail on condition to execute separate bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) each with two sureties, each for a like sum to the satisfaction of the Judicial Magistrate Court, Annur, and on further conditions that: -



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[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 petitioners shall report before the respondent police everyday at 10.30 a.m., until further orders.

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

[d] the petitioners 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 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.

22.12.2023

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To

1. The Judicial Magistrate Court, Annur.
2. The Central Prison, Coimbatore.
3. The Inspector of Police,
District Crime Branch Police Station,
Coimbatore.
4. The Public Prosecutor,
High Court of Madras.

C.V.KARTHIKEYAN. J.



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