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CRL OP(MD).



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

Date : 08/03/2023

PRESENT

The Hon`ble Mr.Justice G.K.ILANTHIRAIYAN

CRL OP(MD) . No.3219 of 2022

Jamuna Rani

... Petitioner/Accused No.3

Vs

1. The state rep. by,
The Inspector of Police,
Mallanginaru Police Station.
(Crime No.23/2016) .

... Respondent/Complainant

2. Panju @ Panjavarnam

... 2nd Respondent

(R2 suo motu impleaded vide order
dated 03.03.2022 in CRL OP.(MD)
No.3219 of 2022 by KMSJ)

For Petitioner : M/s.Srinivasan R,
Advocate.

For R1 : Mr.R.M.Anbunithi,
Additional Public Prosecutor

For R2 : No Appearance

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

PRAYER :-

For Anticipatory Bail in Crime No.23 of 2016 on the file of the
Respondent Police.

ORDER : The Court made the following order :-

The petitioner/A3, who apprehends arrest at the hands of the
respondent police for the offences punishable under Sections 120B,
419, 423, 465, 471 and 420 of I.P.C., in Crime No.23 of 2016 on the
file of the respondent police, seeks anticipatory bail.

2.The case of the prosecution is that the petitioner had
conspired together with the other accused and by impersonating the
owner of the de-facto complainant, had created forged documents

<https://www.mca.gov.in/>



and sold the properties in dispute to the third parties. He is the case.

3. Heard. Perused the materials available on record including the First Information Report.

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4. The petitioner is arrayed as A3 in this case and she was purchased the said property from A2, who is the power of attorney. The main allegation is against only A1, A2, A4 and A5. Insofar as the petitioner is concerned, she is the *bona fide* purchaser and as such, the custodial interrogation of the petitioner is not required in this case.

5. Taking into consideration of the facts and circumstances of the case, this court is inclined to grant anticipatory bail to the petitioner with certain conditions:

6. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on her appearance, within a period of fifteen days from the date on which the order copy made ready, before the learned Judicial Magistrate No.II, Virudhunagar, 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 respondent police or the police officer who intends to arrest or to the satisfaction of the learned Magistrate concerned, failing which, the petition for anticipatory bail shall stand dismissed and on further condition that:

[a] the petitioner and 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 at 10.30 a.m., for a period of two weeks and thereafter, as and when required for interrogation;

[c] the petitioner shall not tamper with evidence or witness either during investigation or trial.

[d] the petitioner 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 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].



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

sd/-
08/03/2023

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

SJI

TO

1. The Judicial Magistrate No.II, Virudhunagar.
2. Do-Through The Chief Judicial Magistrate,
Viruthunagar District.
3. The Inspector of Police,
Mallanginaru Police Station.
4. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

+1 CC to M/s.R.SRINIVASAN, Advocate (SR-3855[I] dated 10/03/2023)

ORDER

IN

CRL OP(MD) No.3219 of 2022

Date : 08/03/2023

NA/SBN/SAR-4/20.03.2023/3P/6C