



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

Date : 25.05.2023

PRESENT

The Hon`ble Mr.Justice P.VADAMALAI

CRL OP(MD) . No.9521 of 2023

Dharmaraj

... Petitioner/Accused No.8

Vs

The State represented by
The Inspector of Police,
District Crime Branch,
Sivagangai Dstrict.
(Crime No.17/2022)

...Respondent/Complainant

For Petitioner : M/s.C.Senthil Murugan
Advocate.

For Respondent : Mr.RMS.Sethuraman
Additional Public Prosecutor

PETITION FOR BAIL Under Sec.439 of Cr.P.C.

PRAYER :-

For Bail in Crime No. 17/2022 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioner/A8, who was arrested and remanded to judicial custody on 12.04.2023 for the offences under sections 419, 468, 471, 420 and 120(b) of IPC in Crime No.17 of 2022 on the file of the respondent police, seeks bail.

2. The case of the prosecution is that the petitioner along with other accused has created forged documents and by impersonation, grabbed the property of the defacto complainant. Hence, the case.

3. The learned counsel appearing for the petitioner submits that the petitioner is an innocent person and he has been falsely implicated in this case.

4. The learned Additional Public Prosecutor opposed for grant of bail on the ground that the investigation is going on. However, he fairly submits the co-accused were released on bail.



5. Taking into consideration of the facts and submissions by the learned counsels, the period of incarceration and also the fact that the co-accused were released on bail, this court is inclined to grant bail to the petitioner, subject to the following conditions:

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6. Accordingly, 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 learned Judicial Magistrate No.I, Ramanathapuram (Special Court for Land Grabbing Cases, Ramanathapuram) 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 at 10.30 a.m., for a period of 30 days 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 is 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.

sd/-

25/05/2023

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25/05/2023

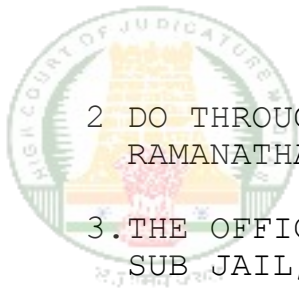
Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

das

TO

1.THE JUDICIAL MAGISTRATE NO.I, RAMANATHAPURAM
(SPECIAL COURT FOR LAND GRABBING CASES, RAMANATHAPURAM)

<https://www.mhc.tn.gov.in/judis>



2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
RAMANATHAPURAM.

3. THE OFFICER IN CHARGE,
SUB JAIL, SIVAGAGAI.

4 THE INSPECTOR OF POLICE,
DISTRICT CRIME BRANCH,
SIVAGANGAI DSTRIC.

5 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1 CC to M/s.C.SENTHIL MURUGAN, Advocate (SR-7858[I] dated
25/05/2023)

ORDER

IN

CRL OP(MD) No.9521 of 2023

Date :25/05/2023

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