



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)
Date : 05/06/2023
PRESENT

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

CRL OP(MD) . No.9632 of 2023

Elizabeth ... Petitioner / Sole Accused

Vs

The State represented by
The Inspector of Police,
District Crime Branch Police Station,
Trichy District. ... Respondent / Complainant

For Petitioner : M/s.Yasar Arafath K, Advocate.

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

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

PRAYER :-

For Bail in Crime No.8 of 2023 on the file of the Respondent Police

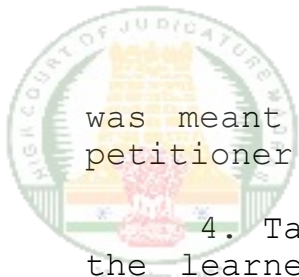
ORDER : The Court made the following order :-

The petitioner /sole accused who was arrested and remanded to judicial custody on 11.05.2023 for the offences under sections 420, 467, 468 and 471 of IPC, in Crime No.8 of 2023 on the file of the respondent police seeks bail.

2. The case of the prosecution is that the defacto complainant purchased a land from the petitioner for a valid sale consideration of Rs.5,43,000/- through registered sale deed. When he seeking Patta before the Thasildar, Thiruverambur, he came to know that the said land was classified in approved layout as open area, hence the case.

3. Heard both sides and perused the materials available on record including the First Information Report.

4.It is seen that the property allegedly called Plot No.34A measuring on extent of 2000 sq.ft. It was originally purchased by the petitioner from one Thangavelu in the year 2012 for valid sale consideration. Thereafter, the defacto complainant purchased the property from the petitioner. Subsequently, the said plot



was meant for open area in the approved lay out. Therefore the petitioner is one of the victim according to the victim.

4. Taking into consideration the facts and submissions made by the learned counsels and also the period of incarceration this court is inclined to grant bail to the petitioner, subject to the following conditions:

[a] Accordingly, the petitioner is ordered to be released on bail on condition to 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 Judicial Magistrate No.I, Trichy, and on further conditions that:

[b] 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.

[c] the petitioner shall report before the respondent police morning at 10.30 A.M and evening 05.30 P.M for a period of two weeks and thereafter, as and when required for interrogation.

[d] the petitioner shall not commit any offences of similar nature.

[e] the petitioner shall not abscond either during investigation or trial.

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

[g] On breach of any of the aforesaid conditions, the learned Judicial 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].

[h] If the accused thereafter absconds, a fresh FIR can be registered under Section 229A IPC.

sd/-
05/06/2023

/ TRUE COPY /

05/06/2023
Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.



To

1.The Judicial Magistrate No.I,
Trichy.

2.Do through the Chief Judicial Magistrate,
Trichy District.

3.The Inspector of Police,
District Crime Branch Police Station,
Trichy District.

4.The Superintendent,
Central Women Prison, Trichy.

5.The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

+1 CC to M/s.K.YASAR ARAFATH, Advocate (SR-8023[I] dated 05/06/2023)

ORDER

IN

CRL OP(MD) No.9632 of 2023

Date :05/06/2023

ED/SSS/SAR- (05/06/2023) 3P 7C