



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

Date : 22.06.2023

PRESENT

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

CRL OP(MD)No.11181 of 2023

K.Ramadoss ... Petitioner/ Accused Rank Not Known
Vs

State rep by
The Inspector of Police,
Emenaswaram Police Station,
Ramanathapuram District.
(in Crime No.97 of 2023) ... Respondent / Complainant

For Petitioner : Mr.K.Muthumalai, Advocate

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

For Intervenor : Mr.S.P.Vijay Nivas, Advocate

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

PRAYER :-

For Anticipatory Bail in Crime No.97 of 2023 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioner, who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 417, 420, 465 and 506(ii) IPC in Crime No.97 of 2023 on the file of the respondent police, seeks anticipatory bail.

2.The case of the prosecution is that the accused defrauded the defacto complainant by making forged sale deed in respect of lands in Plot No.1, in S.No.126/1 in Emenaswaram Village, Paramakudi. Hence, the case.

3.Heard both sides and perused the materials available in the record.

4.It is seen that the petitioner without any title deed over the property, which is belonging to the third party, executed sale deed in favour of the defacto complainant. Thereafter, she found



that the property was belonging to some other person ie petitioner had no title over the property. Therefore, she lodged a complaint and while pending complaint, the petitioner come forward with settlement and assured to return the entire sale consideration to the defacto complainant.

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5. Now the learned counsel appearing for the petitioner would submit that for the entire amount, the petitioner had already executed another sale deed in favour of the defacto complainant.

6. Considering the above facts and circumstances of the case, this court is inclined to grant anticipatory bail to the petitioner with certain conditions:

7. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on his appearance, within a period of fifteen days from the date on which the order copy made ready, before the learned Judicial Magistrate, Paramakudi, 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 three 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].



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

sd/-
22/06/2023

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/ 07 /2023

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

gns

TO

- 1.The Judicial Magistrate,
Paramakudi.
2. -do-Through The Chief Judicial Magistrate,
Ramanathapuram District.
- 3.The Inspector of Police,
Emenaswaram Police Station,
Ramanathapuram District.
- 4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

+1 CC to M/s.SP.VIJAY NIVAS, Advocate (SR-9464[I] dated 23/06/2023)

+1 CC to M/s.K.MUTHUMALAI, Advocate (SR-9510[I] dated 23/06/2023)

ORDER

IN

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Date :22/06/2023

RD(06/07/2023) 3P 7C