



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)
Date : 27.06.2023
PRESENT

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

CRL OP(MD)No.11481 of 2023

Karkuvel Iyyanar

... Petitioner/A6

Vs

The State Rep.by
The Inspector of Police,
District Crime Branch (DCB)
Sivagangai,
Sivagangai District.
Crime No.9 of 2023

... Respondent/Complainant

For Petitioner : Mr.S.VISHNUVARDHAN, Advocate

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

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

PRAYER :- For Anticipatory Bail in Crime No.9 of 2023 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioner/A6, who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 419, 465, 468, 471, 120(B), 420 IPC in Crime No.9 of 2023 on the file of the respondent police, seeks anticipatory bail.

2.The case of the prosecution is that the defacto complainant is the owner of the property situated at S.No.260/2A, 279 of Kadambavanam village, Thiruvelamkudi Group, Karaikudi and having patta in his name. He was residing at Malaysia for the past two and half years. A1 and A2 have created forged sale deed in the name of A2 vide document No.4069/2020 dated 31.07.2020, in which, A3 & A4 were signed as attesting witnesses. Thereafter, by virtue of the above forged sale deed, A2 has executed sale deed in favour of A5 vide document No.2525/2023 dated 02.02.2023, in which, the petitioner herein and A7 were signed as attesting witnesses. Further, A8 and A9 are the Sub-Registrars. A10 and A11 helped the



other accused persons for the registration of above documents. Hence, the case.

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

4. It is seen that there are totally 11 accused persons in this case, in which, the petitioner herein is arrayed as A6. Even according to the case of the prosecution, the property is belonging to the defacto complainant. He was impersonated by A1 and had executed sale deed in favour of A2. A2 executed sale deed in favour of A5. As far as the petitioner herein is concerned, he stood as witness to the sale deed, which was executed by A2 in favour of A5. A5 also had no knowledge about the impersonation done by A1.

5. Considering the above 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 his appearance, within a period of fifteen days from the date on which the order copy made ready, before the learned Judicial Magistrate No.II, Sivagangai, 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 four 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



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

sd/-

27/06/2023

/ TRUE COPY /

WEB COPY

/07/2023

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

GNS

TO

1 THE JUDICIAL MAGISTRATE NO.II, SIVAGANGAI.

2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE, SIVAGANGAI DISTRICT.

3 THE INSPECTOR OF POLICE,
DISTRICT CRIME BRANCH (DCB)
SIVAGANGAI,
SIVAGANGAI DISTRICT.

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

+1. CC to Mr.S.VISHNUVARDHAN Advocate SR.No.9749 (I)
Dt.28/06/2023.

ORDER

IN

CRL OP(MD) No.11481 of 2023

Date :27/06/2023

SA/SAR. /11.07.2023/3P/6C