



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

Date : 08/03/2023

PRESENT

WEB COPY

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

CRL OP(MD). No.14483 of 2021

Sathiyamarayanan

... Petitioner/Accused No.1

Vs

The State Rep.by
The Inspector of Police,
District Crime Branch, Virudhunagar,
Virudhunagar District.
(Crime No.16 of 2021).

... Respondent/Complainant

For Petitioner : M/s.Mohan A,
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.16 of 2021 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioner/accused who apprehends arrest at the hands of the respondent police for the offences punishable under sections 120(b), 419, 420, 465, 467, 468 and 471 of IPC, in Crime No. 16 of 2021 on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution as per the de-facto complainant is that the father of the defacto complainant purchased a property situated in S.No.1416/1 to an extent of 2.67 ½ Acres on 20.02.1951 from one Pappuraja who is the resident of Singarajakottai. The father of the defacto complainant died in the year 1981. Before his death, the patta pertaining to the above said land was duly mutated in patta No.645. Upto the year 2015 all adangal extracts were also in his name. That being the situation, the defacto complainant came to know that A1 to A3 conspired together and created the forged

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father of the defacto complainant executed a sale deed in : of the petitioner. Further A2 impersonated as Ramaramasamy raja, hence the case.

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

4. It is seen that the petitioner is arrayed as A1. He had purchased the properties from the hands of A2 and A2. He verified the parental documents and believed that A1 is only Ramasamyraja, whereas the case of the prosecution is that A2 had impersonated the original owner of the property and executed sale deed with the connivance of the petitioner herein. The crime is of the year 2021, so far no steps have been taken to secure the accused. Further sale deed is of the year 2016, hence this court is inclined to grant anticipatory bail to the petitioner , with certain conditions:

5. 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, Virudhuangar 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].



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

sd/-
08/03/2023

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WEB COPY

/ 03 /2023

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

AAV

TO

- 1.The Judicial Magistrate No.II, Virudhuangar.
 2. -do-Through The Chief Judicial Magistrate,
Virudhuangar at Srivilliputhur.
 3. The Inspector of Police,
District Crime Branch, Virudhunagar,
Virudhunagar District.
 4. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.
- +1. CC to M/S.A.MOHAN, Advocate SR.No.3852

ORDER
IN
CRL OP(MD) No.14483 of 2021
Date :08/03/2023

RD/BUC/SAR-II (13/03/2023) 3P 6C