



CRL OP(MD). No.13452 of 2023

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 26/07/2023

PRESENT

The Hon`ble Mr.Justice G.ILANGO VAN

CRL OP(MD). No.13452 of 2023

Balamurugan

... Petitioner / Accused No.3

Vs

State through
The Inspector of Police,
District Crime Branch Police Station
Sivagangai.
(Crime No.10 of 2023)

... Respondent / Complainant

For Petitioner : M/s.G.Thiruvarutselvan, Advocate

For Respondent : Mr.B.Nambiselvan
Additional Public Prosecutor

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

PRAYER :-

For Bail in Crime No.10 of 2023 on the file of the respondent police.

ORDER : The Court made the following order :-

The petitioner/ Accused No.3 herein, who was arrested on 01.07.2023 for the alleged offence under Section under Sections 419, 465, 467, 468, 471, 420 and 120(b) of IPC in Crime No. 10 of 2023, seek bail.

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2. The case of the prosecution in brief is that, the defacto complainant was working as Sub Registrar in Devakottai. On 14.12.2022, the first accused namely Ramachandran presented a sale deed for registration. He scrutinized the document and requested the parent documents. The first accused presented the parent documents bearing document No.3970/14. Later, the document was also registered as document No.5734/22. Later, a complaint was received stating that the document has been registered by impersonation. Enquiry was conducted by the District Registrar, Karaikudi and found that the document number 3974/14 is a fabricated one. So on that basis, a case was registered. This petitioner was arrested and remanded to custody on 01.07.2023. Seeking bail, he filed petition before the learned Principal District Judge, Sivagangai, that came to be dismissed by an order dated 13.07.2023. Subsequent to that he filed this petition seeking bail.

3. The learned counsel for the petitioner would submit that this petitioner only signed as a witness in the second document. He is no way involved in the alleged fake document which taken place in the year 2014.

4. Per contra, the learned Additional Public Prosecutor well as the respondent would submit that the original Ramachandran is living in Singapore. By taking photocopy of the original document, document number has been manipulated and presented the same for registration as if it is the original parent document. On that



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account only involvement of this petitioner also came to light, since he signed as an
attesting witness.

5. Per contra, the learned counsel for the petitioner would submit that investigation is almost over and considering the incarceration period, this petition for bail must be considered and the judicial custody need not be extended.

6. From the perusal of the records, in the manner in which the above said offence said to have been committed, this court is of the considered view that if the petitioner is released on bail, he must abscond or hamper the investigation process. The person who impersonated the said Ramachandran has not been arrested so far. Only this petitioner knows the identity of that person. So, on that account, this Court is not inclined to grant the relief of bail to the petitioner.

7. Accordingly, this Criminal Original Petition stands dismissed.

sd/-
26/07/2023

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/08/2023
Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

PNN

To

1.The Inspector of Police,
District Crime Branch Police Station, Sivagangai.

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2.The Officer Incharge,
Sub Jail, Sivagangai.

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

+1 CC to M/s.G.THIRUVARUTSELVAN, Advocate (SR-11355[I] dated
27/07/2023)

ORDER
IN
CRL OP(MD) No.13452 of 2023
Date :26/07/2023

ED/BUC/SAR- (08/08/2023) 4P / 5C

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