



CRL OP(MD). No.13650 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.13650 of 2023

R.Panjabakesan

... Petitioner/ Accused No.2

Vs

State Rep.by
The Inspector of Police,
District Crime Branch Police Station(ALGSC),
Trichy District
Crime No.7 of 2023.

... Respondent/ Complainant

For Petitioner : M/s.K.Arunraj, 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.7 of 2023 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioner/ Accused No.2 herein, who was arrested on 04.05.2023 for the alleged offence under Sections 419, 420, 467, 468, 471 and 120(B) of IPC, in Crime No.7 of 2023, on the file of the respondent police, seeks bail.

2.The case of the prosecution is that the defacto complainant purchased land in S.No.39/1A to the extent of cents by registered sale deed dated 14.06.1985 vide document No.2036 of 1985. The defacto complainant has been in possession and



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enjoyment of the vacant land ever since from the date of purchase. While so, in the 1st week of August 2022, when the defacto complainant had visited the vacant site, some third persons had removed the fencing and erecting new fencing. On enquiry, he came to know that one Freddy herein has purchased the land. Subsequently, the defacto complainant got encumbrance certificate and he came to know that 1st accused in connivance with other accused had fabricated the sale deed dated 18.07.2022, as if, it was executed by the defacto complainant. Hence, the complaint.

3.The learned counsel for the petitioner submitted that the petitioner is an innocent person and she has not committed any offence as alleged by the prosecution.

4.The learned Additional Public Prosecutor submitted that the third accused namely Freddy was granted bail with condition that he must execute reconveyance deed by cancelling the disputed document. The above said order was passed on 15.06.2023. Subsequent development is not known. So far as this petitioner is concerned, ever since from the date of arrest, he is in custody. Investigation is not yet over. It is further submitted by the learned Additional Public Prosecutor, the petitioner is having four previous cases.

5. However, considering the fact that the petitioner will be entitled for statutory bail in a short time, without going into the merits of the case, this Court is inclined to



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grant bail to the petitioner with conditions.

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6. Accordingly, this Criminal Original Petition is allowed and the petitioner is ordered to be released on bail, on executing a personal 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.VI, Trichy and on further condition that the petitioner shall report before the respondent police daily at 10.30 a.m. until further orders.

sd/-
26/07/2023

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26/07/2023
Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

TM

TO

- 1 THE JUDICIAL MAGISTRATE NO.VI, TRICHY.
- 2 DO-THROUGH : THE CHIEF JUDICIAL MAGISTRATE, TRICHY DISTRICT.
- 3 THE SUPERINTENDENT, CENTRAL JAIL, TRICHY.
- 4 THE INSPECTOR OF POLICE,
DISTRICT CRIME BRANCH POLICE STATION(ALGSC),
TRICHY DISTRICT.



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

+1 CC to M/s.K.ARUNRAJ, Advocate (SR-11307[I] dated 26/07/2023)

ORDER IN
CRL OP(MD) No.13650 of 2023
Date :26/07/2023

RS//SAR-(26.07.2023) 4P 7C
Madurai Bench of Madras High Court is issuing
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