



CRL OP(MD). No.14985 of 2023

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 17/08/2023

PRESENT

The Hon`ble Mr.Justice G.ILANGO VAN

CRL OP(MD). No.14985 of 2023

Balamurugan,

... Petitioner/ Accused No.3

Vs

State Rep.by
The Inspector of Police,
District Crime Branch,
Sivagangai.
Crime No. 10 of 2023.

... Respondent/ Complainant

For Petitioner : M/s.Karuppasamy Pandiyan.G, 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 :-



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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.

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. He further submitted that this is



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a second bail petition. The earlier bail Petition filed by the petitioner in Crl.OP(MD)

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No.13452 of 2023 was dismissed on 26.07.2023.

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 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.

6 .Considering the facts and circumstances of the case and also considering the period of incarceration undergone by the petitioner, this Court is inclined to grant bail to the petitioner with stringent conditions.

7. 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



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the satisfaction of the learned Judicial Magistrate No.2, Sivagangai, and on further conditions that the petitioner shall report before the respondent police daily at 10.30 a.m. until further orders.

sd/-

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

TTA

TO

- 1 THE JUDICIAL MAGISTRATE NO.2
SIVAGANGAI DISTRICT.
- 2 DO-THROUGH :
THE CHIEF JUDICIAL MAGISTRATE,
SIVAGANGAI DISTRICT.
- 3 THE OFFICER INCHARGE
SUB JAIL, SIVAGANGAI.
- 4 THE INSPECTOR OF POLICE
DISTRICT CRIME BRANCH, SIVAGANGAI.
- 5 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.



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+1 CC to M/s.G.KARUPPASAMY PANDIYAN, Advocate (SR-12400[I] dated 17/08/2023)

ORDER
IN
CRL OP(MD) No.14985 of 2023
Date :17/08/2023

PKP//SAR- /17.08.2023/ 5P/ 7C

Madurai Bench of Madras High Court is issuing certified
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