



CRL OP(MD). No.14319 of 2023

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 07/08/2023

PRESENT

The Hon`ble Mr.Justice G.ILANGO VAN

CRL OP(MD). No.14319 of 2023

Ramasamy

... Petitioner/ Accused No.2

Vs

The State rep.by,
The Inspector of Police,
District Crime Branch,
Dindigul District.
in Crime No.25/2023,

... Respondent/ Complainant

For Petitioner : M/s.Susi Kumar C,
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.25/2023 on the file of the Respondent Police.

ORDER : The Court made the following order :-



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The petitioner/Accused No.2 herein, who was arrested on 11.07.2023 for the alleged offence under Sections 419, 467, 468, 471, 120(b) of IPC, in Crime No.25 of 2023, on the file of the respondent police, seeks bail.

2.The case of the prosecution is that according to the defacto complainant her father namely Kanthasamy Gounder has purchased several properties including in Survey No.248/5 measuring 58 cents. On 31.01.1949, her father executed a WILL in respect of all the properties in favour of his wife and children including defacto complainant. His father died on 31.12.1949 and her mother on 26.07.1991. As per the WILL, the defacto complainant and her brothers and sisters have enjoyed the property owned by her father. While being so, on 26.10.2015, all the accused including the petitioner have impersonated her mother's signature and photo as if her mother has executed a sale deed in favour of this petitioner on 26.10.2015, but his mother died in the year 1991 itself and subsequently, they have changed the patta in their favour in patta No.1285. Thereby, all the accused persons have committed the crime. Hence, the case.

3.On the ground that this petitioner claiming that they derived benefit from the first accused, this petition has been filed. The learned counsel for the petitioner would submit that the petitioner is ready to cancel the above said sale deed, which is under



dispute.
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4.The learned Additional Public Prosecutor would submit that the first accused by taking advantage of the similarity name of the defacto complainant's mother, impersonated her and sold the property through registered document. She has filed Crl.O.P.(MD).No.13609 of 2023 seeking anticipatory bail before this Court and later withdraw the same.

5.Therefore, considering the fact that so far as this petitioner is concerned he has derived benefit from the first accused, in the light of the above said undertaking given by him, this Court is inclined to grant bail to the petitioner with conditions.

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.II, Dindigul and on further condition that the petitioner shall report before the respondent police daily at 10.30 a.m. until further orders. The petitioner also shall comply the undertaking given by him through his counsel.



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7.List the matter for reporting compliance on 28.08.2023.

sd/-
07/08/2023

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07/08/2023
Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

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TO

1.THE JUDICIAL MAGISTRATE NO.II,
DINDIGUL.

2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
DINDIGUL.

3.THE INSPECTOR OF POLICE,
DISTRICT CRIME BRANCH,
DINDIGUL DISTRICT.

4 THE OFFICER IN CHARGE,
DISTRICT JAIL,
DINDIGUL.

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



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+1. CC to M/S.SUSI KUMAR C Advocate SR.No.11921

ORDER
IN
CRL OP(MD) No.14319 of 2023
Date :07/08/2023

RK (07/08/2023) 5P /7 C

Madurai Bench of Madras High Court is issuing certified copies in this format from 17/07/2023



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