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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 01/09/2023

PRESENT

The Hon`ble Mr.Justice P. DHANABAL

CRL OP(MD). No.15957 of 2023

Ramakrishnan

... Petitioner/ Accused No.1

Vs

State by Inspector of Police,
District Crime Branch,
Karur.
Crime No.23 of 2023.

... Respondent/ Complainant

For Petitioner : Ms.S.Mahalakshmi,
Advocate.

For Respondent : Mr.B.Nambiselvan,
Additional Public Prosecutor

PETITION FOR ANTICIPATORY BAIL Under Sec.438 of Cr.P.C

PRAYER :-

For Anticipatory Bail in Crime No.23 of 2023 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioner/ Accused No.1 who apprehends arrest at the hands of the

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respondent police for the offences punishable under Sections 420 and 468 of IPC in Crime No.23 of 2023 on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that the petitioner purchased the property in Survey No.495/6C to the extent of 0.22 $\frac{3}{4}$ cents from the A2 to A7 through fraudulent means and they cheated the complainant and forged the documents. Hence, complaint.

3.The learned counsel for the petitioner would contend that the petitioner is innocent and a false case has been foisted against him. He would further submit that there is property dispute between the parties. A1 is the purchaser. Hence, he seeks anticipatory bail.

4. The learned Additional Public Prosecutor would submit that the petitioner created forged documents and A2 to A6 along with A1 executed a sale deed in favour of A1. The investigation is at initial stage. He objected to grant anticipatory bail to the petitioner.

5. Heard both side and perused the materials available on record.

6. Considering the rival submissions on either side and considering that already civil dispute is pending between the parties and this petitioner is a purchaser and also considering other aspects, this Court is inclined to grant anticipatory bail to the petitioner, subject to the following conditions:



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7. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on their appearance, within a period of fifteen days from the date on which the order copy made ready, before the learned Judicial Magistrate No.I, Karur, on condition that the petitioner shall execute a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) each with two sureties each for a like sum to the satisfaction of the learned Magistrate concerned and on further condition that:

[a] the petitioner shall report before the respondent Police daily at 07.00 pm., until further orders.

[b] the petitioner shall not tamper with evidence or witness either during investigation or trial.

[c] the petitioner shall not abscond either during investigation or trial.

[d] 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].

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[e] If the accused thereafter absconds, a fresh FIR can be registered under Section 229A IPC.

sd/-
01/09/2023

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/09/2023
Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

mrn

TO

1 THE JUDICIAL MAGISTRATE NO.I,
KARUR.

2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
KARUR.

3 THE INSPECTOR OF POLICE
DISTRICT CRIME BRANCH,
KARUR.

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

+1 CC to M/s.S.MAHALAKSHMI, Advocate (SR-13103[I] dated 01/09/2023)



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ORDER
IN
CRL OP(MD) No.15957 of 2023
Date :01/09/2023

SSA/VR/07.09.2023/5P/6C

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