



CRL OP(MD). No.17880 of 2023

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 09/10/2023

PRESENT

The Hon`ble Mr.Justice V.SIVAGNANAM

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K.M.Priscilla Jancy,

... Petitioner/Not Known Accused

Vs

The Inspector of Police,
District Crime Branch,
O/o the Superintendent Office,
Madurai District.
Crime No. 20/2023.

... Respondent/Complainant

For Petitioner : Mr.R.GANDHI, Senior Advocate
for M/s.AMARNATH R, Advocate.

For Respondent : Mr.R.SURESH KUMAR,
Government Advocate (Crl.Side)

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

PRAYER :- For Anticipatory Bail in Crime No. 20 of 2023 on the file of the respondent Police.

ORDER : The Court made the following order :-

The petitioner/ Accused, who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 120(b), 419, 420, 465, 468 and 471 IPC in Crime No.20 of 2023 on the file of the respondent police, seek anticipatory bail.

2. The case of the prosecution is that the petitioner has given a legal opinion for

<https://www.mhc.trngov.in/judis>



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the land purchased by A1 and A2, after the purchase of land, A1 and A2 have received a summon from the Land Grabbing Department, wherein the defacto complainant using the influence of political parties threatened them to cancel the document which was executed by them. Hence the case.

3.The learned counsel for the petitioner would contend that the petitioner is innocent and she has not committed any offence as alleged by the prosecution and her name has been falsely implicated in this case and hence, prayed for anticipatory bail.

4. The learned Government Advocate (Crl. Side) would submit that it is a case of civil dispute and that the suit in O.S.Nos.159 and 163 of 2023 are pending before the concerned Court. He would further submit that the petitioner herein has given a legal view for the purchase of land and she has been implicated in this case based on the confession of A2 and the investigation of the case is pending.

5. Considering the facts and circumstances of the case and also considering the fact that the petitioner has given only a legal view and that the civil suits are pending and that there is no specific allegations made against the petitioner, this Court is inclined to grant anticipatory bail to the petitioner, subject to the following conditions:

6.Accordingly, the petitioner is ordered to be released on bail in the event of arrest



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or on her appearance, within a period of fifteen days from the date on which the order copy made ready, before the learned Judicial Magistrate No.1, Madurai, on condition that the petitioner shall execute a 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 Magistrate concerned and on further condition that:

[a] the sureties shall affix their photographs and left thumb impression in the surety bond and the Magistrate/concerned court may obtain a copy of their Aadhar card or Bank Pass Book to ensure their identity;

[b] the petitioner shall report before the respondent police on receipt of summons.

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

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

[e] 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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[f] If the accused thereafter absconds, a fresh FIR can be registered under

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Section 229A IPC.

sd/-
09/10/2023

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/10/2023
Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

TRP

TO

1 THE JUDICIAL MAGISTRATE NO.I, MADURAI.

2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE, MADURAI DISTRICT.

3 THE INSPECTOR OF POLICE,

DISTRICT CRIME BRANCH,

O/O THE SUPERINTENDENT OFFICE, MADURAI DISTRICT.

4 THE ADDITIONAL PUBLIC PROSECUTOR,

MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1 CC to M/s.R.AMARNATH, Advocate (SR-14820[I] dated 09/10/2023)

ORDER IN

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Date :09/10/2023

SA/DD/SAR. /17.10.2023/4P/6C

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