



CRL OP(MD). No.18096 of 2023

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)

Date : 18/10/2023

PRESENT

The Hon`ble Mr.Justice V. SIVAGNANAM

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T.Jeyapal

... Petitioner / Accused No.3

Vs

1.The State represented by
The Inspector of Police,
SS Colony Police Station,
Madurai City.
(Crime No.1356/2023).

... Respondent / Complainant

2.R.VENKATRAMAN

... Intervener / Defacto Complainant
in CRL MP(MD) No.14793 of 2023

For Petitioner : M/s.Thamimul Ansari N, Advocate.

For Intervenor : M/s. S.Ramesh, Advocate

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

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

PRAYER :-

For Anticipatory Bail in Crime No.1356/2023 on the file of the Respondent Police.



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ORDER: The Court made the following order :-

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The petitioner/ A3, who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 147,417,419,420,468,471 and 506(ii) of IPC in Crime No.1356 of 2023 on the file of the respondent police, seeks anticipatory bail.

2.The case of the prosecution is that the defacto complainant has a family property at Madakulam Village, Thiruparankundram Taluk, Madurai bearing S.No.335/4 to an extent of 74 cents . Then the defacto complainant along with his brother went to see the land and came to know that some persons impersonated the defacto complainant and his brother executed a power of attorney deed in favour of A2 using some forged documents. Thereafter A2 executed sale deed in favour of A1 and A1 executed in favour of A3 to A5 and A3 to A5 executed in favour of A6 and later executed some sale deed in favour of A7 and thereafter in favour of A8 and executed sale deed in favour of A9 and A10. Then A1 and A2 along with four persons measured the land and when the same was questioned by the defacto complainant they threatened with dire consequences, hence the case.

3.The learned counsel appearing for the petitioner would submit that the petitioner is innocent and a false case has been foisted against him. Hence he seeks anticipatory to the petitioner.

4.The learned Government Advocate(Crl.Side) appearing for the respondent



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objected to grant anticipatory bail to the petitioner.

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5. Taking into consideration the facts and circumstances of the case and also the fact that the petitioner is the power agent of purchase Balakrishnan who purchased the property from one Karthick. It is alleged that the said Karthick has executed the forged documents and this petitioner has not committed any offence, hence this Court is inclined to grant anticipatory bail to the petitioner. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on his appearance, within a period of fifteen days from the date on which the order copy made ready, before the learned Judicial Magistrate No.V, Madurai on condition that the petitioner shall execute own bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) to the satisfaction of the respondent police or the police officer who intends to arrest or to the satisfaction of the learned Magistrate concerned, failing which, the petition for anticipatory bail shall stand dismissed and on further condition that :

[a] the petitioner shall affix his photograph and Left Thumb Impression in the surety bond and the Magistrate may obtain a copy of his Aadhar card or Bank Pass Book to ensure his identity.

[b] the petitioner shall report before the trial Court on receipt of summons and also directed to appear before the respondent police and co-operate with the



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investigation.

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[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].

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

sd/-
18/10/2023

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/10/2023

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

AAV

To

1.The Judicial Magistrate No.V,
Madurai.



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2.Do through the Chief Judicial Magistrate,
Madurai District.

3.The Inspector of Police,
SS Colony Police Station,
Madurai City.

4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

+1 CC to M/s.N.THAMIMUL ANSARI, Advocate (SR-15467[I] dated 19/10/2023)

ORDER
IN
CRL OP(MD) No.18096 of 2023
Date :18/10/2023

ED/DD/SAR- (25/10/2023) 5P / 6C

Madurai Bench of Madras High Court is issuing certified copies in this format from
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