



CRL O.P. No.21929 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 10.09.2024

CORAM

THE HON'BLE MR.JUSTICE P.DHANABAL

**CRL OP.No.21929 of 2024**

N.Karthi

... Petitioner / Accused

Vs

State rep. by  
The Station House Officer,  
Town Police Station,  
Karaikal.

(Crime No.152 of 2024)

... Respondent

**PRAYER: -** The Criminal Original Petition is filed under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, (BNSS) 2023, praying to enlarge the Petitioner on bail in Crime No.152 of 2024, on the file of the respondent.

For Petitioner : M/s.P.J.Anitha

For Respondent : Mr.K.S.Mohandass  
Public Prosecutor  
(Puducherry)  
Assisted by Mrs.Danalakshmi



CRL O.P. No.21929 of 2024

## **ORDER**

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The petitioner, who was arrested and remanded to judicial custody on 12.08.2024 for the offences punishable under Sections 420, 468, 471 r/w 34 of IPC, in Crime No.152 of 2024, on the file of the respondent, seeks bail.

2.The case of the prosecution is that the petitioner along with the other accused, conspired together, created forged plan approvals and fake Regularization Orders, have registered 35 Sale Deeds in the Sub Registrar Offices at Karaikal, Neravy, T.R.Pattinam and Thirunallar in the name of various people between 16.12.2021 to 15.03.2024. Hence, the case.

3.The learned counsel for the petitioner would submit that the petitioner is innocent and he has falsely implicated in this case. He would further submit that the petitioner is a practicing Advocate and he has nothing to do with the alleged offence committed by the other accused and he has only drafted one Sale Deed. He would further submit that the petitioner has been in judicial custody from 12.08.2024 and there is no previous case against the petitioner. He would also submit that the



CRL O.P. No.21929 of 2024

petitioner is ready to abide by any stringent condition that may be imposed by this Court. Hence, he prays for grant of bail to the petitioner.

4. The learned Government Advocate (Crl. Side) for the respondent would submit that the petitioner along with the other accused, fabricated forged Regularization Orders and plan approvals, have registered 35 Sale Deeds in the Sub Registrar Offices at Karikal, Neravy, T.R.Pattinam, and Thirunallar. He would further submit that investigation is still pending and there is no previous case against the petitioner. However, he raised serious objections to grant bail to the petitioner.

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

6. Considering the nature of offences and that the petitioner was already arrested, police custody was also taken, the first remand period was also over and there is no scope for further custodial interrogation and also the specific overt act attributed against the petitioner and the petitioner is only drafted the sale deed and that there is no previous case against the petitioner, this Court is inclined to grant bail to the petitioner subject to the following conditions:



CRL O.P. No.21929 of 2024

[a] Accordingly, the Petitioner is ordered to be released on bail on condition to 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 **Judicial Magistrate – I, Karaikal**, and on further conditions that;

**[b] the Petitioner shall report before the respondent police daily at 10.30 a.m., until further orders.**

[c] the Petitioner shall not commit any offences of similar to the offence of which he is accused, or suspected, or of the commission of which he is suspected;

[d] the Petitioner shall not, directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any police officer;

[e] the Petitioner shall not abscond either during investigation or trial;

[f] On breach of any of the aforesaid conditions, the learned Judicial 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]; and

[g] If the accused thereafter absconds, a fresh FIR can be registered under Section 269 B.N.S.

10.09.2024

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CRL O.P. No.21929 of 2024

To  
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- 1.The Judicial Magistrate – I, Karaikal.
- 2.The Station House Officer,  
Town Police Station,  
Karaikal.
- 3.Sub Jail, Karaikal.
- 4.The Public Prosecutor, High Court, Madras.



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CRL O.P. No.21929 of 2024

**P.DHANABAL,J.**  
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CRL.OP.No.21929 of 2024

10.09.2024