



CrI.O.P.No.23388 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 26.09.2024

CORAM

THE HON'BLE MR. JUSTICE P.DHANABAL

CrI.O.P.No.23388 of 2024

P.Padmini

...Petitioner/25th Accused

Vs.

The State represented by
The Inspector of Police,
CBCID South, Tiruppur,
(Crime No.01 of 2020)

...Respondent/Complainant

PRAYER: Criminal Original Petition filed under Section 480 of B.N.S.S. Act, 2023, praying to enlarge the petitioner on bail in Crime No.01 of 2020 on the file of respondent police.

For Petitioner : Ms.Ananda Gomathy

For Respondent : Mr.S.Vinoth Kumar
Government Advocate (CrI. Side)



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ORDER

The petitioner/A25, who was arrested and remanded to judicial custody on 01.09.2024 for the offences under Sections 419, 420 466, 468, r/w 109, 471 of the IPC and 82 (A) of the Registration Act, in Crime No.01 of 2020, on the file of the respondent police, seeks bail.

2.The case of the prosecution is that the petitioner/25, while being the Sub Registrar of Vellakoil, colluded with co-accused/A18 and A19 registered an extent of 3.50 acres of land situated at Pachapalayam Village of Kangayam Taluk, Erode District, to P.Ramesh on 23.07.2014, by concealing the fact that the assignment of land was cancelled in 1980 itself. Hence the complaint.

3. Learned counsel for the petitioner/A25 submitted that the petitioner is an innocent person, she has not committed any offence as alleged by the prosecution; and that the petitioner has been falsely implicated in this case. She further submitted that the alleged date of occurrence was on 23.07.2014; that the FIR was registered only in 2020. She further submitted that the petitioner has been in custody since



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01.09.2024; that she is a law-abiding citizen; and that she is ready to furnish substantial sureties for her due release on bail; therefore, she prays for the grant of bail to the petitioner.

4. Learned Government Advocate (Criminal Side) appearing for the respondent police opposed granting bail to the petitioner/A25, that the petitioner/A25, while being the Sub Registrar of Vellakoil, colluded with co-accused/A18 and A19 registered an extent of 3.50 acres of land situated at Pachapalayam Village of Kangayam Taluk, Erode District, to P.Ramesh on 23.07.2014, by concealing the fact that the assignment of land was cancelled in 1980 itself. He further submitted that there are no previous cases pending against the petitioner; that the FIR was registered in 2020.

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

6. Considering the representation made by both sides, the nature of offences charged against the petitioner, that there are no previous cases



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pending against the petitioner, that already the first remand period was over, and there is no scope for custodial interrogation, the date of the alleged occurrence that there is a delay in lodging the complaint, and also taking into consideration the period of incarceration undergone by the petitioner, this Court is inclined to grant bail to the petitioner with certain conditions:

7. Accordingly, the petitioner is ordered to be released on bail on her executing 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 *Chief Judicial Magistrate, Tiruppur* and on further conditions that:

[a] the petitioner shall report before the respondent police on every Saturday at 10.30 a.m., until further orders;

[b] the petitioner shall attend in accordance with the conditions of the bond;

[c] the petitioner shall not commit any offences of similar to the offence of which she was accused, or suspected, or of the commission of which she was



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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 her from disclosing such facts to the Court or to any police officer or tamper with the evidence;

[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.

26.09.2024

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To

1.The Chief Judicial Magistrate, Tiruppur



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2. The Inspector of Police,
CBCID South, Tiruppur,

3. The Public Prosecutor,
High Court of Madras.

P.DHANABAL, J.

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