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Crl.O.P.No.29833 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 04.12.2024

CORAM

THE HON'BLE MR. JUSTICE A.D.JAGADISH CHANDIRA

Crl.O.P.No.29833 of 2024

M.Palani

... Petitioner

Vs.

The State represented by,
The Inspector of Police,
Avadi CCB,
Chennai - 600 007.

(Crime No.66 of 2024).

... Respondent

PRAYER : Criminal Original Petition filed under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023, pleased to enlarge the petitioner on bail, in connection with the Crime No.66 of 2024, pending investigation on the file of the respondent Police.

For Petitioner : Mr.D.S.Ramesh

For Respondent : Mr.Leonard Arul Joseph Selvam
Government Advocate (Crl.Side)

ORDER

Petition seeking bail in respect of Crime No.66 of 2024 registered for the offences punishable under Sections 419, 465, 467, 468, 471 & 420 of IPC, is



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on board for consideration.

2. The incarceration of the petitioner/A8 being from 26.10.2024 pleading innocence on the part of the petitioner and false implication in the case, learned counsel for the petitioner seeks indulgence of this Court. He also submits that the petitioner, who is suffering with heart and kidney ailments, is in no way connected with the alleged offence and he was arrested only based on the confession statement recorded from the other accused. He further submits that one of the co-accused has been granted bail by this Court in Crl.O.P.No.26803 of 2024 dated 29.10.2024 and the petitioner is ready to abide by any stringent condition that may be imposed by this Court.

3. The case of the prosecution as putforth by the learned Government Advocate (Criminal Side) appearing for the respondent police, opposing for grant of bail, is that the petitioner/A8 along with other accused had conspired together and by fabrication of documents and by impersonation, had sold the property which belongs to the de facto complainant to one Govindaraj/A1 under Doc.No.6212 of 2022 dated 06.09.2022. He further submits that the major part of the investigation is over and the Power of Attorney was cancelled. He also



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submits that one previous case is pending against the petitioner.

4. Having heard the learned counsel for the petitioner and the learned Government Advocate (Criminal Side) for the respondent Police and perused the materials available on record including the counter filed by the respondent, and considering the period of incarceration undergone by the petitioner, this Court is inclined to grant bail to the petitioner with certain conditions and accordingly, the petitioner is ordered to be released on bail on his executing a bond for a sum of **Rs.15,000/- (Rupees Fifteen Thousand only)** with **two sureties**, each for a like sum to the satisfaction of the learned **Judicial Magistrate No.I, Poonamallee**, and on further conditions that:

[a] the sureties shall affix their photographs and Left Thumb Impression in the surety bond and the Magistrate 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 everyday at 10.30 a.m., until further orders;

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

[d] the petitioner shall not tamper with evidence or



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witness 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 abscond, a fresh FIR can be registered under Section 269 of B.N.S.

04.12.2024

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To

1. The Judicial Magistrate No.I,
Poonamallee.
2. The Inspector of Police,
Avadi CCB,
Chennai - 600 007.
3. The Superintendent,
Central Prison,
Puzhal.
4. The Public Prosecutor,
High Court of Madras.



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A.D.JAGADISH CHANDIRA.,J.

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