



WEB COPY



Crl.O.P.No.30680 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 10.12.2024

CORAM

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

Crl.O.P.No.30680 of 2024

1. Sarathamani

2. Ramakrishnan

... Petitioners

Vs.

The State represented by,
The Inspector of Police,
DCB Police Station,
Tiruppur District.

(Crime No.09 of 2023).

... Respondent

PRAYER : Criminal Original Petition filed under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023, pleased to enlarge the petitioners on bail, in connection with Crime No.09 of 2023, pending investigation on the file of the respondent Police.

For Petitioner : Mr.M.P.Akil

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

ORDER

Petition seeking bail in respect of Crime No.09 of 2023 registered for the offences punishable under Sections 120(B), 419, 465, 468 & 471 of IPC, is



Crl.O.P.No.30680 of 2024

on board for consideration.

2. The incarceration of the petitioners/A2 & A6 being from 26.10.2024 pleading innocence on the part of the petitioners and false implication in the case, learned counsel for the petitioners seeks indulgence of this Court. He also submits that the disputed sale deed has been cancelled and on the same ground, the first accused in this case has already been enlarged on bail by the Hon'ble Apex Court in SLP (Crl.) No.793 of 2024 dated 08.07.2024. He further submits that the petitioners are in no way connected with the alleged offence and they are 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 petitioners/A2 & A6 along with other accused, in order to grab the property which belongs to the de facto complainant, conspired together and by fabrication of documents and by impersonation, had executed the sale deed in favour of the first accused. He further submits that the alleged sale deeds have also been cancelled by the Authorities concerned and the major part of the investigation is over.

4. Having heard the learned counsel for the petitioners and the learned Government Advocate (Criminal Side) for the respondent Police and perused the



Crl.O.P.No.30680 of 2024

materials available on record and considering the period of incarceration undergone by the petitioners, this court is inclined to grant bail to the petitioners with certain conditions and accordingly, the petitioners are ordered to be released on bail on their executing separate bond each 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, Tiruppur**, 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 petitioners shall report before the respondent Police, everyday at 10.30 a.m., for a period of two weeks and thereafter, every Saturday at 10.30 a.m., until further orders;

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

[d] the petitioners shall not tamper with evidence or 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 petitioners in accordance with law as if the



WEB COPY



CrI.O.P.No.30680 of 2024

conditions have been imposed and the petitioners released on

A.D.JAGADISH CHANDIRA.,J.

ham

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.

10.12.2024

ham

To

1. The Judicial Magistrate No.I,
Tiruppur.
2. The Inspector of Police,
DCB Police Station,
Tiruppur District.
3. The Superintendent,
Central Prison, Coimbatore.
4. The Superintendent,
District Jail for Women, Tiruppur.
5. The Public Prosecutor,
High Court of Madras.



WEB COPY



Crl.O.P.No.30680 of 2024

Crl.O.P.No.30680 of 2024