



CRL OP(MD) No.923 of 2024

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

Monday, the Twenty Second day of January Two Thousand and Twenty Four

PRESENT

The Hon`ble Mr.Justice M.DHANDAPANI

CRL OP(MD) No.923 of 2024

SUBBURAM

... PETITIONER/ ACCUSED 5

Vs

THE SUB INSPECTOR OF POLICE
DISTRICT CRIME BRANCH,
THENI DISTRICT.
CR.NO.31/2023

... RESPONDENT/COMPLAINANT

For Petitioner : Mr.M.JOTHI BASU, Advocate

For Respondent : Mr.P.KOTTAICHAMY, Govt. Advocate (Crl. Side)

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

PRAYER:- FOR ANTICIPATORY BAIL IN CR.NO.31/2023 ON THE FILE OF THE
RESPONDENT POLICE.

ORDER : The Court Made the following order :-

The petitioner/Accused No.5, who apprehends arrest at the hands of the
respondent police for the alleged offence under Sections 417, 419, 420, 465, 468, 471
and 120(B) of IPC, in Crime No.31 of 2023, on the file of the respondent police, seeks
anticipatory bail.



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2.The case of the prosecution is that the petitioner along with the other accused executed a forged sale deed in favour of the second accused. Hence, the case.

3.The learned counsel appearing for the petitioner submitted that the petitioner has not committed any offence as alleged by the prosecution. He would further submit that the petitioner is the document writer and also submitted that this Court has granted anticipatory bail to the co-accused in Crl.O.P(MD)No.18132 of 2023 dated 11.10.2023. Hence, he prays for grant of anticipatory bail to the petitioner.

4.The learned Government Advocate (Crl. side) submitted that the first accused created the forged sale deed with the help of the petitioner, who is the document writer. Hence, he strongly opposed to grant anticipatory bail to the petitioner.

5.Considering the facts and circumstances of the case already granted anticipatory bail to the co-accused by this Court, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions.

6.Accordingly, this Criminal Original Petition is ordered and 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 of receipt of a copy of this order, before the learned Judicial Magistrate, Theni, on condition that the petitioner shall 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 respondent police or the police officer who



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intends to arrest or to the satisfaction of the learned Magistrate concerned and on
further condition that:

(a)if the petitioner failed to surrender before the concerned Magistrate within a period of 15 days from the date of receipt of a copy of this order, this order shall stand automatically cancelled;

(b) the sureties shall affix their photographs and left thumb impression in the surety bond and the Court concerned may obtain a copy of their Aadhar card or Bank pass Book to ensure their identity;

(c)the petitioner shall report before the respondent police daily at 10.30 a.m., for a period of two weeks and thereafter as and when required for interrogation;

(d)the petitioner shall not tamper with evidence or witness either during investigation or trial;

(e)the petitioner shall not abscond either during investigation or trial;

(f)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]; and;



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229-A IPC.

(g)if the accused thereafter abscond, a fresh FIR can be registered under Section

/ TRUE COPY /

sd/-
22/01/2024

/01/2024
Sub-Assistant Registrar
(C.S. I / II / III / IV)
Madurai Bench of Madras High Court,
Madurai - 625 023.

CP
TO

- 1 THE JUDICIAL MAGISTRATE, THENI.
 - 2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE, THENI DISTRICT.
 - 3 THE SUB INSPECTOR OF POLICE
DISTRICT CRIME BRANCH, THENI DISTRICT.
 - 4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.
- +1 CC to M/s.G.M.LAW OFFICE, Advocate (SR-891[I] dated 22/01/2024)

ORDER IN
CRL OP(MD) No.923 of 2024
Date :22/01/2024

SA/VR/SAR. /30.01.2024/4P/6C

Madurai Bench of Madras High Court is issuing certified copies in this format from 17/07/2023.