



CRL OP(MD) No.1346 of 2024

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

Monday, the Fifth day of February Two Thousand and Twenty Four

PRESENT

The Hon`ble Mr.Justice M.DHANDAPANI

CRL OP(MD) No.1346 of 2024

PRIYA

... PETITIONER / SOLE ACCUSED

Vs

THE INSPECTOR OF POLICE
ANNA NAGAR POLICE STATION,
MADURAI.
CR.NO.14/2024

... RESPONDENT / COMPLAINANT

For Petitioner : M/S.JEYARAM SIDHARTH 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.14/2024 ON THE FILE OF THE
RESPONDENT POLICE.

ORDER : The Court Made the following order :-

The petitioner/Sole Accused, who apprehends arrest at the hands of the



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respondent police for the alleged offence under Sections 404, 420, 465, 468 and 471 of IPC in Crime No.14 of 2024, on the file of the respondent police, seeks anticipatory bail.

2.The case of the prosecution is that the de-facto complainant is the daughter of one Perumal Nadar and the said Perumal Nadar had three daughters, including the defacto complainant herein. While so, the petitioner's father, namely, Murugan was not born to the biological parents of the defacto complainant. However, the petitioner's father helped the defacto complainant's father and mother, who were lost on the verge of their old age and taking advantage of the absence of the defacto complainant, the petitioner's father obtained a legal heir certificate from the revenue officials with the help of the petitioner. Thereby, the defacto complainant made a complaint before the respondent police. Hence, the case was registered against the petitioner.

3.The learned counsel for the petitioner would submit that if it is a legal heir certificate issued, it has been cancelled only in the manner known to law and further the defacto complainant herself admitted that the petitioner's father is living along

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with the said Perumal Nadar and his wife and after death of the said Perumal Nadar and his wife and after conducting a detailed enquiry, the legal heir certificate was cancelled, in which, the petitioner is not responsible and if at all the defacto complainant has any grievance, she has to take steps to cancel the legal heir certificate in the manner known to law either before the Civil Court or before the Revenue official instead of filing the criminal complaint before the respondent police is not sustainable one. Hence, he prays for grant of anticipatory bail to the petitioner.

4.The learned Government Advocate (Crl. side) submitted that taking advantage of the absence of the defacto complainant, the petitioner's father, namely, Murugan, obtained a legal heir certificate of the defacto complainant's parents from the revenue officials with the help of the petitioner and subsequently, the said Murugan settled the property in favour of his son, in which, the property stands in the name of the petitioner. However, he strongly opposed to grant anticipatory bail to the petitioner.

5.Considering the above facts and circumstances of the case, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions.



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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 her appearance, within a period of fifteen days from the date of receipt of a copy of this order, before the learned Judicial Magistrate Court No.6, Madurai, 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 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 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;



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(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;

(g)if the accused thereafter abscond, a fresh FIR can be registered under Section 229-A IPC.

sd/-
05/02/2024

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/02/2024
Sub-Assistant Registrar
(C.S.I /II /III /IV)
Madurai Bench of Madras High Court,
Madurai - 625 023.

SJI

TO

- 1 THE JUDICIAL MAGISTRATE NO.VI
MADURAI.
- 2 DO THROUGH:
THE CHIEF JUDICIAL MAGISTRATE,
MADURAI DISTRICT.



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3 THE INSPECTOR OF POLICE
ANNA NAGAR POLICE STATION, MADURAI.

4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

ORDER
IN
CRL OP(MD) No.1346 of 2024
Date :05/02/2024

PKP/JGB/SAR /09.02.2024/ 6P/ 5C

Madurai Bench of Madras High Court is issuing certified
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