



CRL OP(MD) No.1439 of 2024

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

Wednesday, the Thirteenth day of March Two Thousand and Twenty Four

PRESENT

The Hon`ble Mr.Justice M.DHANDAPANI

CRL OP(MD) No.1439 of 2024

GOWRI SHANKAR

... PETITIONER/SOLE ACCUSED

Vs

THE SUB INSPECTOR OF POLICE
THIRUVIDAIMARUTHUR POLICE STATION,
THANJAVUR DISTRICT,
CRIME NO.218/2022

... RESPONDENT/COMPLAINANT

For Petitioner : M/S.MARIA VINOLA.M 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 CRIME NO.218/2022 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
respondent police for the alleged offence under Sections 465, 467, 468, 471 and 420 of



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IPC in Crime No.218 of 2022, on the file of the respondent police, seeks anticipatory bail.

2.The case of the prosecution is that the petitioner created a forged sale deed in favour of his wife vide Doc.No.437 of 2017 at SRO, Thiruvudaimaruthur. Subsequently, the District Registrar, Kumbakonam had sent a proceedings in Na.Ka.No.1777 of 2020, dated 26.06.2021 to the Sub Registrar, Thiruvudaimaruthur for the cancellation of the above forged patta based on the settlement deed given by the petitioner to his wife. Thereby, the Sub Registrar, Thiruvudaimaruthur gave a complaint before the respondent police against the petitioner.

3.The learned counsel appearing for the petitioner submitted that the alleged sale deed was cancelled by the petitioner vide Document No.437 of 2017 and hence, he prays for grant of anticipatory bail to the petitioner.

4.The learned Government Advocate (Crl. side) has not disputed the said fact submitted by the learned counsel for the petitioner.

5.Considering the facts and circumstances of the case and also considering the



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fact that the alleged sale deed was cancelled by the petitioner, 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 District Munsif cum Judicial Magistrate Court, Thiruvudaimaruthur, 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 daily at 10.30 a.m., for a period of two weeks and thereafter, as and when required for interrogation;



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(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;

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

sd/-
13/03/2024

/ TRUE COPY /

/03/2024

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

SJI

TO

1.THE DISTRICT MUNSIF CUM JUDICIAL MAGISTRATE,
THIRUVIDAIMARUTHUR.

2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
THANJAVUR @ KUMBAKONAM.

<https://www.mhc.tn.gov.in/judis>



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3. THE SUB INSPECTOR OF POLICE
THIRUVIDAIMARUTHUR POLICE STATION,
THANJAVUR DISTRICT,

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

+1 CC to M/s.M.MARIA VINOLA, Advocate (SR-3127[I] dated 13/03/2024)

ORDER
IN
CRL OP(MD) No.1439 of 2024
Date :13/03/2024

RK/GS (19/03/2024) 5P / 6C
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