



CRL OP(MD)No.2470 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 21.02.2024

PRESENT

The Hon`ble Mr.Justice M.DHANDAPANI

CRL OP(MD)No.2470 of 2024

Raja

... Petitioner/ Accused No.2

Vs

The State Rep.by
The Inspector of Police,
Kadayanallur Police Station,
Tenkasi District.
(Crime No.5 of 2024)

... Respondent/ Complainant

For Petitioner : Mr.M.Pandian, Advocate

For Respondent : Mr.B.Nambiselvan,
Additional Public Prosecutor

PETITION FOR BAIL Under Sec.439 of Cr.P.C.

PRAYER :-

For Bail in Crime No.5 of 2024 on the file of the respondent police.

ORDER : The Court made the following order :-

<https://www.mhc.tn.gov.in/judis> The petitioner / A2, who was arrested and remanded to judicial custody on



CRL OP(MD)No.2470 of 2024

04.01.2024 for the alleged offence punishable under Sections 420, 466, 468, 471, 419, 447, 427, 294(b), 506(1) IPC in Crime No.5 of 2024, on the file of the respondent Police, seeks bail.

2.The case of the prosecution is that A1 has executed a settlement deed in favour of his wife in respect of property in S.No.475/2B by creating forged document and the petitioner herein helped A1. Hence, the complaint.

3.The learned counsel appearing for the petitioner would submit that the petitioner is an innocent person and he has not committed any such offence as alleged by the prosecution. He would further submit that the disputed document was cancelled in November, 2023 itself. Hence, he prays for bail.

4.The learned Additional Public Prosecutor appearing for the respondent Police also admits the fact that the disputed document was cancelled.



CRL OP(MD)No.2470 of 2024

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5.Considering the facts and circumstances of the case and considering the fact that the disputed document itself cancelled and also considering the period of incarceration suffered by the petitioner, this Court is inclined to grant bail to the petitioner with certain conditions.

6.Accordingly, the petitioner is ordered to be released on bail on his executing 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 learned Judicial Magistrate, Tenkasi 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 is directed to appear before the respondent police daily at 10.30 A.M., for a period of two weeks and thereafter as and when required;

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



CRL OP(MD)No.2470 of 2024

WEB COPY

(d)the petitioner shall not abscond 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]; and;

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

sd/-
21/02/2024

/ TRUE COPY /

21/02/2024
Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

gns
TO

- 1.The Judicial Magistrate, Tenkasi
- 2.Do-Through The Chief Judicial Magistrate,
Tirunelveli.



CRL OP(MD)No.2470 of 2024

3.The Superintendent, Central Prison,
Palayamkottai.

4.The Inspector of Police,
Kadayanallur Police Station,
Tenkasi District.

5.The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

+1 CC to M/s.M.PANDIAN, Advocate (SR-2177[I] dated 21/02/2024)

ORDER
IN
CRL OP(MD) No.2470 of 2024
Date :21/02/2024

SSA//SAR-(21.02.2024) 5P 7C

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