



CRL OP(MD). Nos.5080 and 5696 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 25/04/2024

PRESENT

The Hon`ble Mr.Justice B.PUGALENDHI

CRL OP(MD). Nos.5080 and 5696 of 2024

1. Vasanthi @ Vasantha

2. Karpagam

3. Gayathri

... Petitioners/ Accused 2 to 4
in Crl.O.P(MD) No.5080 of 2024

Varatharajan

... Petitioner/ Accused 1
in Crl.O.P(MD) No.5696 of 2024

Vs

The Inspector of Police,
District Crime Branch, Sivagangai Police Station,
Sivagangai District.
(In Crime No.3/2024).

... Respondent/ Complainant
in both petitions

IN BOTH PETITIONS:-

For Petitioners : Mr.P.GANAPATHI SUBRAMANIAN,
Advocate

For Respondent : Mr.P.VEERAKATHIRAVAN
Additional Advocate General
Assisted by Mr.P.KOTTAI CHAMY,
Government Advocate (Crl.Side)



CRL.OP(MD), Nos.5080 and 5696 of 2024

PETITIONS FOR ANTICIPATORY BAIL Under Sec.438 of Cr.P.C

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COMMON PRAYER :- For Anticipatory Bail in Crime No.3 of 2024 on the file of the Respondent Police.

COMMON ORDER : The Court made the following order :-

The petitioners, apprehending arrest at the hands of the respondent Police, in connection with a case in Crime No.3 of 2024, for the offence punishable under Sections 466, 468, 471, 420 r/w 120(b) of IPC, have filed this petition seeking anticipatory bail.

2. The case of the prosecution is that the defacto complainant is the first wife of A1, namely, Varadarajan. In the year 1995, she married the said Varadarajan and gave birth to two female children, namely, Karpagam and Gayathri, who are the petitioners 2 and 3 herein. During the year 2008, the defacto complainant separated from her husband Varadarajan and now, she married one Riyaz Deen. According to the defacto complainant, during the year 2006, she has purchased a property through a registered document. After getting divorce, the said Vardarajan along with his daughters, namely, the petitioners 2 and 3 herein, created a false death certificate as if the defacto complainant died on 25.09.2009 and also executed a release deed in favour of the said Vardarajan/ A1. Hence, the case.

3. The learned counsel appearing for the petitioners submitted that the petitioners are innocent persons and they have not committed any offence as alleged



by the prosecution. The petitioners have cancelled the forged document. Hence, he prays for grant of anticipatory bail to the petitioners.

4.Considering the nature of offence, this Court has granted interim anticipatory bail to the petitioners to enable them to co-operate with the investigation.

5. The learned Additional Advocate General submitted that in this case, investigation is yet to be completed. Pursuant to the grant of interim anticipatory bail, the alleged forged settlement document has been cancelled by the first accused.

6.Considering the facts and circumstances of the offence and aforesaid developments pursuant to the grant of interim anticipatory bail, this Court is inclined to grant anticipatory bail to the petitioners.

7. Accordingly, these Criminal Original Petitions are ordered and the petitioners are ordered to be released on bail in the event of their arrest or on their appearance within a period of fifteen days from the date of receipt of a copy of this order, before the concerned Judicial Magistrate on condition that

(i) the petitioners shall execute a bond for a sum of Rs.25,000/- (Rupees Twenty Five Thousand)each, with two sureties each for a like sum to the satisfaction of the learned Judicial Magistrate No.II, Sivagangai;

(ii) The petitioners and the sureties shall submit a copy of their



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Aadhaar Card or any other identity card issued by the government in proof of their residence address;

(iii) The petitioners shall appear before the respondent police as and when required for interrogation. They have to co-operate for the investigation;

(iv) The petitioners shall not misuse the liberty granted to them by indulging in any further offence and shall not tamper with the prosecution witnesses;

(v) On violation of any of the above conditions by the petitioners, the respondent police shall move an application for cancellation of the anticipatory bail.

sd/-
25/04/2024

/ TRUE COPY /

/05/2024
Sub-Assistant Registrar
(C.S. I / II / III / IV)
Madurai Bench of Madras High Court,
Madurai - 625 023.

PNM
TO
1 THE JUDICIAL MAGISTRATE NO.II,
SIVAGANGAI.

2 DO THROUGH THE CHIEF JUDICIAL
MAGISTRATE, SIVAGANGAI DISTRICT.

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



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3 THE INSPECTOR OF POLICE,
DISTRICT CRIME BRANCH, SIVAGANGAI POLICE STATION,
SIVAGANGAI DISTRICT.

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

+2 CC to M/s.P.GANAPATHI SUBRAMANIAN, Advocate (SR-5071 & 5072[I] dated
29/04/2024)

ORDER
IN
CRL OP(MD). Nos.5080 and 5696 of 2024
Date :25/04/2024

SA/JGB/SAR. /02.05.2024/5P/7C

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