



CRL OP(MD). No.5400 of 2024

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 20/08/2024

PRESENT

The Hon`ble Mr.Justice D.BHARATHA CHAKRAVARTHY

CRL OP(MD). No.5400 of 2024

1. Karuppiah,

2. Sakthivel,

... Petitioners/ Accused No.2 & 3

Vs

The Inspector of Police,
District Crime Branch (DCB),
Sivagangai,
Sivagangai District.
(Crime No.4/2024)..

... Respondent/ Complainant

For Petitioners : M/s. R.Sundar, Advocate.

For Respondent : Mr.R.M.Anbunithi,

Additional Public Prosecutor

For intervenor : Mr.P.Jessi Jeeva Priya, Advocate

PETITION FOR ANTICIPATORY BAIL UNDER SECTION 482 OF BNSS

PRAYER :-

For Anticipatory Bail in Crime No.4/2024 on the file of the Respondent Police.



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ORDER : The Court made the following order :-

The petitioners /accused, who apprehend arrest at the hands of the respondent police for the offences punishable under Sections 465, 466, 468, 471 and 120(b) IPC in Cr.No.04 of 2024, seek anticipatory bail.

2. Heard the learned counsel for the petitioners and the learned Additional Public Prosecutor appearing for the respondent Police and the learned counsel for the intervenor.

3. The learned counsel for the petitioners would vehemently contend that the petitioners claiming title have already filed civil suits. It is customary practice in the area to execute unregistered mortgage by conditional sale and on the strength of the said unregistered sale deed earlier suit was filed and the suit was compromised and therefore, the sale deed is executed. Therefore, he would pray that when the primary accused in whose name the property stands has already been enlarged on anticipatory bail, the petitioners herein should also be granted anticipatory bail.

4. The learned Additional Public Prosecutor would produce the 164 statement, whereunder, the 1st petitioner / second accused has admitted that no such transaction took place and only on the instigation, he went to the Court and signed before the Lok Adalat. Therefore, at least partly, he is admitting the allegations made against him as far as the second petitioner / A3 is concerned considering the argument of the

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learned counsel appearing on behalf of the intervenor and the fact that the process of court viz., Lok Adalat is being misused for these purpose, I am of the view that this is not a fit case for grant of anticipatory bail to the petitioners.

5. Accordingly, this Criminal Original Petition is dismissed.

sd/-
20/08/2024

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/ 09 /2024
Sub-Assistant Registrar (C.S. I / II / III / IV)
Madurai Bench of Madras High Court,
Madurai - 625 023.

TRP

TO

1 THE INSPECTOR OF POLICE
DISTRICT CRIME BRANCH (DCB),
SIVAGANGAI,
SIVAGANGAI DISTRICT.

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

ORDER
IN

CRL OP(MD) No.5400 of 2024
Date :20/08/2024

PSP/ SG /SAR /27.09.2024/ 3P/ 3C

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