



CRL OP(MD). No.7405 of 2024

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 14/10/2024

PRESENT

The Hon`ble Mr.Justice D.BHARATHA CHAKRAVARTHY

CRL OP(MD). No.7405 of 2024

1. S.Muniyandi

2. Thangapandian

3. Muniyammal

... Petitioners/ A1 to A3

Vs

The Inspector of Police,
Chokkampatti Police Station,
Tenkasi District.
(Crime No.92 of 2024).

... Respondent/Complainant

For Petitioner : Mr.Sheik Abdulla.A,
Advocate.

For Respondent : Mr.R.M.Anbunithi,
Additional Public Prosecutor

For Intervenor : Mr.K.Dinesh

PETITION FOR ANTICIPATORY BAIL Under Sec.482 of BNSS



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PRAYER:-

For Anticipatory Bail in Crime No.92 of 2024 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioners/A1 to A3, who apprehend arrest at the hands of the respondent police for the offences punishable under Sections 420, 465, 468 and 471 of IPC, in Crime No.92 of 2024 on the file of the respondent police, seek anticipatory bail.

2.The case of the prosecution is that a parcel of the land situated in S.No.311/12 at Boganallur Village, Tenkasi District is an undivided ancestral property of the defacto complainant as well as the petitioners. While so, with an intention to grab the entire property from the defacto complainant, the petitioners criminally conspired with one Muniyandi, Thangapandian and Muniyammal and created fabricated documents and registered the same before the Jurisdictional Sub Registrar vide document No.3318 and 3319 of 2023 in their favour.

3.Heard. Perused the materials available on record including the First Information Report.



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4. Considering the nature of allegation which is made that the defacto complainant is alleging that eventhough the defacto complainant has got a share in the property by taking advantage of a survey number being mentioned in the earlier document, the petitioners are high-handedly selling the property, I am inclined to enlarge the petitioner on anticipatory bail, with certain conditions:

5. Accordingly, the petitioners are ordered to be released on bail in the event of arrest or on their appearance, within a period of fifteen days from the date on which the order copy made ready, before the learned Judicial Magistrate Court, Tenkasi, on condition that the petitioners shall execute a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) each 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, failing which, the petition for anticipatory bail shall stand dismissed and on further condition that:

[a] the petitioners and 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.



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[b] the petitioners shall report before the respondent Police, daily at 10.30 a.m., for a period of three weeks and thereafter, as and when required for interrogation;

[c] the petitioners shall not tamper with evidence or witness either during investigation or trial.

[d] the petitioners 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 petitioners in accordance with law as if the conditions have been imposed and the petitioners 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].

[f] If the accused thereafter abscond, a fresh FIR can be registered under Section 229A IPC.

sd/-
14/10/2024

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/10/2024

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

SJI



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TO
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- 1 THE JUDICIAL MAGISTRATE,
TENKASI.
- 2 DO-THROUGH :
THE CHIEF JUDICIAL MAGISTRATE,
TIRUNELVELI DISTRICT.
- 3 THE INSPECTOR OF POLICE
CHOKKAMPATTI POLICE STATION,
TENKASI DISTRICT.
- 4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1 CC to M/s.A.SHEIK ABDULLA, Advocate (SR-12410[I] dated 15/10/2024)

ORDER
IN
CRL OP(MD) No.7405 of 2024
Date :14/10/2024

SS/MMS/SAR- /24/10/2024/ 5P/6C

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