



CRL OP(MD). No.8778 of 2024

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

Date : 15/07/2024

PRESENT

The Hon`ble Mr.Justice A.A.NAKKIRAN

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1. Fathima

2. Hajira

3. Inayathulla

... Petitioners/ Accused No.1 to 3

Vs

Inspector of Police,
District Crime Branch,
Trichy.
(Crime No.41 of 2024.)

... Respondent/Complainant

S.Mohammed Danish

... Intervener / Defacto complainant
in CRL MP(MD) No.6256 of 2024

For Petitioners : M/s.Mahalakshmi, Advocate.

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

For intervenor : Mr.Arun Jayatram, Advocate

PETITION FOR ANTICIPATORY BAIL Under Sec.482 of BNSS



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PRAYER :-

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For Anticipatory Bail in Crime No.41 of 2024 on the file of the respondent police

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 120B, 294(b), 324, 420, 467, 468, 441, 471 and 506(i) IPC in Crime No.41 of 2024, seek anticipatory bail.

2.The case of the prosecution is that the petitioners herein have created a forged legal heir certificates and registered a documents in the Sub Registrar office. When the same was questioned by the defacto complainant, the petitioners herein have attacked him and also criminally intimidated him. Hence, the complaint.

3.The learned counsel for the petitioners would submit that the petitioners are innocents and they have not committed any offence as alleged by the prosecution. He would further submit that the said disputed document was cancelled by the petitioners and seeks anticipatory bail.

4.The learned Additional Public prosecutor would submit that investigation of the case is pending and hence, he strongly opposed to grant anticipatory bail to the petitioners.

5. The learned counsel for the intervenor submitted that the petitioners herein have created forged legal heir certificate and registered the documents and hence, he



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prayed for dismissal of this petition.

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6.Considering the facts and circumstances of the case and also considering the nature of allegations made against the petitioners, this Court is inclined to grant anticipatory bail to the petitioners with certain conditions.

6.Accordingly, the petitioners are ordered to be released on bail in the event of their arrest or their appearance, within a period of fifteen days from the date of receipt of a copy of this order, before the learned Judicial Magistrate No.V, Trichy, 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 to the Police Officer, who intends to arrest or to the satisfaction of the learned Magistrate concerned and on further conditions 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;

(b)the petitioners shall report before the respondent police as and when required for interrogation;

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



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(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]; and;

(f)if the accused thereafter abscond, a fresh FIR can be registered under Section

229-A IPC.

sd/-

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/08/2024

Sub-Assistant Registrar

(C.S.I /II /III /IV)

Madurai Bench of Madras High Court,

Madurai - 625 023.

TRP

To

1.The Judicial Magistrate No.V,
Trichy.

2.Do through the Chief Judicial Magistrate,
Trichy District.



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3.The Inspector of Police,
District Crime Branch,
Trichy.

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

+1 CC to M/s.S.MAHALAKSHMI, Advocate (SR-8060[I] dated 18/07/2024)

ORDER
IN
CRL OP(MD) No.8778 of 2024
Date :15/07/2024

ED/ VR /SAR- (31/07/2024) 5P / 6C

Madurai Bench of Madras High Court is issuing certified copies in this format from
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