



CRL OP(MD). No.9285 of 2024

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

Date : 02/07/2024

PRESENT

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

CRL OP(MD). No.9285 of 2024

K.Poosari

... Petitioner/ Accused No.1

Vs

The Sub Inspector of Police,
District Crime Branch (DCB II) Police Station,
Trichy.
Crime No.19/2024.

... Respondent/ Complainant

S.Natarajan

...Petitioner/ Intervener
Crl MP(MD)No.6639/2024

For Petitioner : MR.J.Madhu,
Advocate.

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

For intervenor : Mr.M.Dinesh Hari Sudarsan, Advocate

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

PRAYER :-

For Bail in Crime No.19/2024 on the file of the respondent police.

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



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ORDER : The Court made the following order :-

The petitioner/ Accused, who was arrested and remanded to judicial custody on 22.05.2024 for the offences punishable under Sections 419, 420, 467 and 468 of IPC in crime No.19 of 2024 on the file of the respondent police, seeks bail.

2.The case of the prosecution is that the petitioner herein had impersonated his brother Maruthai and executed a forged Will in the year 2002 and thereby, trying to acquire the land by way of filing suit before the Judicial Magistrate No.III, Trichy. Hence, the complaint.

3.The learned counsel for the petitioner would submit that the petitioner is innocent and he has not committed any offence as alleged by the prosecution. He would further submit that the petitioner is in judicial custody from 22.05.2024, hence, he may be granted bail.

4. The learned counsel for the intervenor submitted that the petitioner herein with the help of A4, who is a practising Advocate, given a forged documents before the Civil Court and prays for dismissal of this petition.



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5. The learned Additional Public Prosecutor would submit that the petitioner herein had filed a suit before the Civil Court by creating a forged Will and hence, he strongly opposed to grant bail to the petitioner.

6. Considering the submissions made by the learned counsel on either side and also considering the fact that the petitioner is in judicial custody from 22.05.2024, this Court is inclined to grant bail to the petitioner on certain conditions.

7. Accordingly, this Criminal Original Petition is allowed and the petitioner is ordered to be released on bail, on 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, Lalgudi, and on further condition that;

(i) the sureties shall affix their photographs and left thumb impression in the surety bond and the Magistrate/concerned court may obtain a copy of their Aadhar card or Bank Pass Book to ensure their identity;

(ii) the petitioner shall report before the respondent police daily at 10.30 a.m., until further orders;



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(iii)the petitioner shall not tamper with evidence or witness;

(iv)the petitioner shall not abscond during trial.

v)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].

vi)If the accused thereafter absconds, a fresh FIR can be registered under Section 229A IPC.

sd/-
02/07/2024

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02/07/2024
Sub-Assistant Registrar (W)
Madurai Bench of Madras High Court,
Madurai - 625 023.

TRP



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TO
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1. THE JUDICIAL MAGISTRATE, LALGUDI.
 - 2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
TRICHY.
 3. THE SUPERINTENDENT, CENTRAL PRISON, TRICHY.
 4. THE SUB INSPECTOR OF POLICE,
DISTRICT CRIME BRANCH (DCB II) POLICE STATION,
TRICHY.
 5. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.
- +1 CC to M/s.J.MADHU, Advocate (SR-7242[I] dated 02/07/2024)

ORDER
IN

CRL OP(MD) No.9285 of 2024

Date :02/07/2024

RK (02/07/2024) 5P / 7C

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