



CRL OP(MD).No.9746 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 05.07.2024

PRESENT

The Hon`ble Mr.Justice B.PUGALENDHI

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M.Prince

... Petitioner/ Accused 4

Versus

State rep. by
The Inspector of Police,
District Crime Branch (DCB),
Theni District.
(Cr. No.14 of 2024)

... Respondent/Complainant

For Petitioner	: Mr.H,Thayumanaswamy, Advocate
For Respondent	: Mr.M.Sakthi Kumar Government Advocate (Crl. Side)
For Intervenor	: Mr. Udhaya Kumar, Advocate

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

PRAYER :- For Anticipatory Bail in Crime No.14 of 2024 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioner, apprehending arrest at the hands of the respondent Police, in connection with a case in Crime No.14 of 2024, for the offence punishable under Sections 417, 468, 471, 420, 120(b), 506(i) & 294(b) of IPC, has filed this petition seeking anticipatory bail.

2. The case of the prosecution is that the accused persons executed forged

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



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document, in respect of the property belongs to the defacto complainant, by stating that the original power of attorney deed was misplaced and they have created a fabricated Non-Traceable Certificate issued by Theni Police Department and based on the fabricated certificate, sale deed was executed by A2 and A3, without enclosing the defacto complainant's life certificate. Hence, the case.

3. The learned counsel appearing for the petitioner submits that the petitioner is an innocent person and he has not committed any offence as alleged by the prosecution. Hence, he prays for grant of anticipatory bail to the petitioner.

4. The learned Government Advocate (Crl.Side) appearing for the respondent Police submits that this is a second anticipatory bail and the petitioner is having four previous cases to his credit.

5. The learned Counsel for the petitioner further submits that the petitioner has abused the defacto complainant and there is no specific overt act against him. Further, he submits that the petitioner to show bonafide, is ready to deposit a sum of Rs.50,000/- to the credit of the Chief Educational Officer, Theni District, for the welfare of the Government Schools.

6. Considering the facts and circumstances of the case and also considering the nature of allegation and his willingness to deposit money to the Chief Educational Officer, Theni District, this Court is inclined to grant anticipatory bail to the



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petitioner. The petitioner is directed to pay the said amount to the office of the Chief Educational Officer, Theni District. The said amount has to be utilized by the Chief Educational Officer, Theni District, for the purpose of constructing a toilet or for drinking facilities in any one of the Government Schools within Theni District.

7. Accordingly, this Criminal Original Petition is ordered and the petitioner is ordered to be released on bail in the event of his arrest or on his appearance within a period of fifteen days from the date of receipt of a copy of this order, before the learned Judicial Magistrate, Theni, on condition that

(i) the petitioner execute a bond for a sum of Rs.25,000/- (Rupees Twenty Five Thousand), with two sureties each for a like sum to the satisfaction of the learned Judicial Magistrate, Theni.

(ii) The petitioner and the sureties shall submit a copy of their Aadhaar Card or any other identity card issued by the government in proof of their residence address;

(iii) The petitioner shall appear before the respondent police daily at 10.30 a.m., until further orders. He has to co-operate for the investigation.

(iv) The petitioner shall not misuse the liberty granted to him by indulging in any further offence and shall not tamper with the



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prosecution witnesses.

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

sd/-
05/07/2024

/ TRUE COPY /

/07/2024
Sub-Assistant Registrar
(C.S. I / II / III / IV)
Madurai Bench of Madras High Court,
Madurai - 625 023.

JBR
TO
1 THE JUDICIAL MAGISTRATE,
THENI.

2 DO THROUGH THE CHIEF JUDICIAL
MAGISTRATE, THENI DISTRICT.

3 THE INSPECTOR OF POLICE,
DISTRICT CRIME BRANCH (DCB),
THENI DISTRICT.

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

COPY TO:
THE CHIEF EDUCATIONAL OFFICER,
THENI DISTRICT.

+1 CC to M/s.H.THAYUMANASWAMY, Advocate (SR-7529[I] dated 05/07/2024)



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ORDER
IN
CRL OP(MD) No.9746 of 2024
Date :05/07/2024

SA/JGB/SAR. /22.07.2024/5P/7C

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