



CRL OP(MD). No.9852 of 2024

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

Date : 08/08/2024

PRESENT

The Hon`ble Mr.Justice D.BHARATHA CHAKRAVARTHY
CRL OP(MD). No.9852 of 2024

(*)Fahima Hussaina

... Petitioner/ Accused No.2

Vs

The Sub Inspector of Police,
District Crime Branch,
Ramanathapuram.
Cr.No.10/2024.

... Respondent/Complainant

Muhammad Muneera

... Petitioner/Defacto Complainant
in CRL MP(MD)No.7002 of 2024
in CRL OP(MD)No.9852 of 2024

For Petitioner : Mr.J Barathan, Advocate.

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

For Intervener : Mr.K.Yasar Arafath, Advocate.

PETITION FOR ANTICIPATORY BAIL Under Sec. 482 BNSS

PRAYER :-

For Anticipatory Bail in Crime No.10/2024 on the file of the Respondent police.

ORDER : The Court made the following order :-

The petitioner/A2, who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 465, 468, 471, 420 and 120(b) of



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IPC, in Cr.No.10 of 2024, seeks anticipatory bail.

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2.The case of the prosecution is that the maternal grandmother of the defacto complainant executed a power deed in favour of A1 in respect of 28 cents of land situated at Kanjirangudi group, Keelakarai Taluk, Ramanathapuram District. Based on that, A1 executed a sale deed in favour of the petitioner on 07.09.2015 even after the death of the grand mother of the defacto complainant dated 05.09.2015. Hence, the complaint.

3.Heard both sides.

(**)4. Considering the fact that the petitioner and A1 themselves have filed W.P(MD)No.18843 of 2024, it has been held that even though a document to cancel is represented before the Sub-Register, it need not be registered again as the original document will not confer any manner of right, title, or interest in respect of the property, and considering the undertaking made by the learned counsel for the petitioner that they will not claim any right to the property in any manner whatsoever, I am of the view that this is a fit case for grant of anticipatory bail to the petitioner with certain conditions.

5.Accordingly, the petitioner is ordered to be released on bail in the event of arrest or his appearance, within a period of fifteen days from the date of receipt of a copy of this order, before the Judicial Magistrate Court No.II, Ramanathapuram, on condition that the petitioner shall execute a bond for a sum of Rs.10,000/- (Rupees



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Ten Thousand only) 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 petitioner 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) deleted**

(***) (c) The petitioner shall report before the respondent police daily at 07.00 p.m for a period of four days and thereafter, as and when required for interrogation;

(d) the petitioner shall not tamper with evidence or witness either during investigation or trial;

(e) the petitioner shall not abscond either during investigation or trial;

(f) 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]; and;



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(g)if the accused thereafter absconds, a fresh FIR can be registered under Section 229-A IPC.

sd/-
08/08/2024

(*)Amended as per order of this Hon'ble Court in CRL MP(MD).10113/2024 in CRL OP(MD).9852/2024 Dated 24/09/2024

(**)(***) For corrected as per Order of this Hon'ble Court dt.22/10/2024 in Crl.OP(MD).9852/2024.

Further time is extended by one week from the date of receipt of a copy of this order to comply with the conditions.

(**) Corrected as per order of this Court dated 30.10.2024 in CRL OP(MD) No.9852 of 2024.**

(**) The time is extended by another 10 days from the dated of receipt of a copy of this order.**

/ TRUE COPY /

29/10/2024
Sub-Assistant Registrar
Madurai Bench of Madras High Court,
Madurai - 625 023.

DSS

TO

TO BE SUBSTITUTED WITH THE ORDER DATED 08/08/2024

TO BE SUBSTITUTED WITH THE ORDER ALREADY DESPATCHED ON 22/08/2024

TO BE SUBSTITUTED WITH THE AMENDED ORDER DT.08/10/2024 ALREADY DESPATCHED



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1 THE JUDICIAL MAGISTRATE NO.II RAMANATHAPURAM.

2 DO-THROUGH : THE CHIEF JUDICIAL MAGISTRATE,
RAMANATHAPURAM DISTRICT.

3 THE SUB INSPECTOR OF POLICE
DISTRICT CRIME BRANCH, RAMANATHAPURAM.

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

+1 CC to M/s.T.R.JEYAPALAM, Advocate (SR-11682[I] dated 25/09/2024)

ORDER
IN

CRL OP(MD) No.9852 of 2024

Date :08/08/2024

SS/SAR- /22/08/2024/5P/6C

LS

SS/SAR- /22/08/2024/5P/6C

RS/SAR- /03.10.2024/5P/6C

DSS

SA/SAR. /29.10.2024/5P/6C

ED/ SKN /SAR- (12/11/2024) 5P / 6C

Madurai Bench of Madras High Court is issuing
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