



CRL OP(MD). No.10160 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 09/07/2024

PRESENT

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

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Ganesan

... Petitioner/ Accused No.5

Vs

The Inspector of Police,
District Crime Branch,
Trichy.

Crime No.9/2024

... Respondent/Complainant

For Petitioner : Mr.S.Sathyachidambaram, Advocate.

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

PRAYER :-

For Bail in Crime No. 9/2024 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioner/ Accused, who was arrested and remanded to judicial custody on 10.06.2024 for the offences punishable under Sections 120B, 419, 420, 423, 465, 468 and 471 I.P.C, in Crime No.9 of 2024 on the file of the respondent police, seeks bail.

2.The case of the prosecution is that the petitioner and other accused by creating forged documents, viz., death certificate and legal heirs certificate of the husband of the defacto complainant, sold the property illegally and cheated the defacto



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complainant.

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3.The learned counsel for the petitioner would submit that the petitioner is an innocent and he has been falsely implicated in this case. He would further submit that the petitioner is in custody from 10.06.2024. Hence, he prayed to grant bail to the petitioner.

4.The learned Additional Public Prosecutor appearing for the respondent police would strongly oppose this petition on the ground that the investigation is pending. He further submits that totally 15 accused and the petitioner is arrayed as A5 and he is the broker and co-accused was already released on bail.

5.Considering the facts and circumstances of the case and also considering the period of incarceration and that co-accused was already released on bail, this Court is inclined to grant bail to the petitioner subject to the following conditions:

6.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 Judicial Magistrate No.IV, Trichy.

(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;



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(ii) the petitioner shall report before the respondent Police, daily at 10.30 a.m. for a period of four weeks and thereafter, as and when required for interrogation;

(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 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].

(vi) If the accused thereafter abscond, a fresh FIR can be registration under Section 229A IPC.

sd/-
09/07/2024

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09/07/2024

Sub-Assistant Registrar
Madurai Bench of Madras High Court,
Madurai - 625 023.

LS
TO

1 THE JUDICIAL MAGISTRATE NO.IV, TRICHY.

2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE, TRICHY DISTRICT.

3 THE INSPECTOR OF POLICE, DISTRICT CRIME BRANCH, TRICHY.



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4 THE SUPERINTENDENT, CENTRAL PRISON, TRICHY.

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

ORDER

IN

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Date :09/07/2024

RS//SAR-(09.07.2024) 4P 6C

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