



CRL OP(MD). No.14201 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 28/08/2024

PRESENT

The Hon`ble Mr.Justice D.BHARATHA CHAKRAVARTHY

CRL OP(MD). No.14201 of 2024

1. Dhashinamoorthy @ Thatchanamoorthy

2. Mohan Gandhi

... Petitioners No.1 &2 / A5 & A6

Vs

The Inspector of Police,
Chatrakudi Police Station
Ramanathapuram District
Cr.No.51/2024.

... Respondent/Complainant

For Petitioner : M/s. Saravanan.R,
Advocate.

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

PETITION FOR ANTICIPATORY BAIL Under Sec. 482 of BNSS – under Sec. 438 of Cr.P.C

PRAYER :-

For Anticipatory Bail in Crime No. 51 of 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 :-

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The petitioners/A5 and A6, who apprehend arrest at the hands of the respondent police for the offences punishable under Sections 417, 420, 466, 468 and 471 of I.P.C., in Crime No.51 of 2024 on the file of the respondent police, seek anticipatory bail.

2.The case of the prosecution is that the first accused, grabbed the defacto complainant's property, by executing two forged sale deeds, in favour of the second accused. Thereafter, the second accused, who in turn executed a sale deed in favour of the first petitioner.

3.Heard. Perused the materials available on record including the First Information Report.

4.Considering the nature of allegations that A1 and A2 are the main accused, had indulged in the offence and A5 and A6 are the purchaser of the property and considering the fact that the subsequent purchasers have since cancelled the document of sale, I am of the view that the petitioners can be enlarged on anticipatory bail with certain conditions.



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5. Accordingly, the petitioners are ordered to be released on bail in the event of arrest or on their appearance, within a period of fifteen days from the date on which the order copy made ready, before the learned Judicial Magistrate Court, Paramakudi, 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 the police officer who intends to arrest or to the satisfaction of the learned Magistrate concerned, failing which, the petition for anticipatory bail shall stand dismissed and on further condition 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, daily at 10.30 a.m., for a period of two weeks and thereafter, 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].

[f] If the accused thereafter absconds, a fresh FIR can be registered under Section 229A IPC.

sd/-
28/08/2024

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/09/2024

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

SJI

TO

1. The Judicial Magistrate, Paramakudi.

2. Do-Through The Chief Judicial Magistrate, Ramanathapuram District.



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3. The Inspector of Police,
Chatrakudi Police Station
Ramanathapuram District.

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

ORDER
IN
CRL OP(MD) No.14201 of 2024
Date :28/08/2024

RK/SG (05/09/2024) 5P / 5C

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