



CRL OP(MD). No.14866 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 05.09.2024

PRESENT

The Hon`ble Mr.Justice D.BHARATHA CHAKRAVARTHY

CRL OP(MD). No.14866 of 2024

S.Kathiravan

... Petitioner/ Accused No-13

Vs

The Inspector of Police,
District Crime Branch-II,
Trichy City.
Crime No.09 of 2024

... Respondent/ Complainant

For Petitioner : Mr.T.Lenin Kumar
Advocate.

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

PETITION FOR ANTICIPATORY BAIL Under Sec.482 of BNSS

PRAYER :- For Anticipatory Bail in Crime No.9 of 2024 on the file of the Respondent police.

ORDER : The Court made the following order :-

The petitioner, who apprehends arrest at the hands of the respondent Police for the alleged offence under Sections 120(b), 419, 420, 423, 465, 468 and 571 of IPC, in

<https://www.mhc.tri.go.in/judis>



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Crime No.9 of 2024, seeks anticipatory bail.

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2.The case of the prosecution is that the petitioner and other accused conspired together and created forged death certificate stating that the husband of the defacto complainant died on 16.07.2000 and the defacto complainant died on 11.09.2012 and obtained forged legal certificate that the first accused in their legal heir and created encumbrances to the properties belong to the defacto complainant. Hence, the complaint.

3.Heard the learned counsel on either side and perused the material records of the case.

4.Considering the fact that already the anticipated bail application is dismissed and considering that there are no change of circumstances, I am not inclined to entertain the second application.

5.The learned counsel for the petitioner contends that this Court has granted anticipatory bail in respect of A-7 and A-12, vide Crl.O.P.(MD)No.13094 of 2024. While granting anticipatory bail to the said accused, it is recorded in paragraph No.4, that they are only the subsequent purchasers and that they have cancelled the document. The learned Counsel for the petitioner submits that the same is incorrect in as much as A-12 is not a subsequent purchaser, he is also one of the broker similarly situated.



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6.If that would be so the learned Additional Public prosecutor is directed to verify the same and file an application to cancel the bail in respect of A-12. If A-12 is not a subsequent purchase and he is only a broker against whom also similar allegations of forging the identity card is mentioned, then the prosecution shall file an appropriate application before this Court and this Court will consider the same.

7.With the above observation, this Criminal Original Petition stands dismissed.

sd/-
05/09/2024

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/10/2024
Sub-Assistant Registrar
(C.S. I / II / III / IV)
Madurai Bench of Madras High Court,
Madurai - 625 023.

JBR
TO
1 THE INSPECTOR OF POLICE,
DISTRICT CRIME BRANCH-II,
TRICHY CITY.

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

+1. CC to Mr.T.LENINKUMAR Advocate SR.No.49624 (F) DT.06/09/2024



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ORDER
IN
CRL OP(MD) No.14866 of 2024
Date :05/09/2024

SA/JGB/SAR. /01.10.2024/4P/4C

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