



CRL OP(MD). No.14332 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 30/08/2024

PRESENT

The Hon`ble Mr.Justice D.BHARATHA CHAKRAVARTHY

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Gopal @ Gopalakrishnan

... Petitioner/ Accused No.2

Vs

The Inspector of Police,
S.S.Colony Police Station,
Maduri City.
Crime No.427 of 2024

... Respondent/Complainant

For Petitioner : Mr.D.Arun 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.427 of 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 120(B), 420, 465, 467, 468 and 471 of I.P.C., in Crime No.427 of 2024 on the file of the respondent police, seeks anticipatory

bail

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



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2.The defacto complainant is the sister of the first accused. The case of the prosecution is that the first accused created a forged settlement deed in favour of himself by impersonating the signatures of the defacto complainant and her mother. Thereafter, A1 created a forged sale deed in favour of A3. A3, who in turn, pledged the above said property in Small Finance and borrowed Rs.20,00,000/-, But the same was not repaid by A3. Therefore, the said Finance company initiated SARFAESI proceedings.

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

4.Considering the fact that A1 is said to have created a forged deed in his favour and thereafter, transferred the property to A3 and the allegation against the petitioner is that he is the friend of A1 aiding and abetting him in creating the documents, considering the fact that there are no specific averments with reference to the role played by the petitioner and considering the fact that the case was registered pursuant to the direction of the Court in Crl.M.P.No.427 of 2024, I am inclined to enlarge the petitioner on anticipatory bail with certain conditions.

5.Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on his appearance, within a period of fifteen days from the date on which the order copy made ready, before the learned Judicial Magistrate No.V, Madurai, on



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condition that the petitioner shall execute 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 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 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] 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.

[c] the petitioner shall not tamper with evidence or witness either during investigation or trial.

[d] the petitioner 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 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].

[f] If the accused thereafter absconds, a fresh FIR can be registered under



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Section 229A IPC.

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sd/-
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/09/2024

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

SJI
TO

1 THE JUDICIAL MAGISTRATE NO.V, MADURAI.

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

3 THE INSPECTOR OF POLICE, S.S.COLONY POLICE STATION, MADURI CITY.

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

ORDER
IN

CRL OP(MD) No.14332 of 2024

Date :30/08/2024

RS/VR/SAR-(12.09.2024) 4P 5C

Madurai Bench of Madras High Court is issuing
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