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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

( Criminal Jurisdiction )

Date : 09/09/2024

PRESENT

The Hon`ble Mr.Justice D.BHARATHA CHAKRAVARTHY

CRL OP(MD). No.14876 of 2024

Rani,

... Petitioner/ Accused

Vs

The State of Tamilnadu Rep. By,  
the Inspector of Police,  
South Police Station,  
Karaikudi, Sivagangai District.  
(Crime No.209 of 2024).

... Respondent/Complainant

For Petitioners : S.Muniyandi,  
Advocate.

For Respondent : Mr.A.Albert James,  
Government Advocate (Crl.Side)

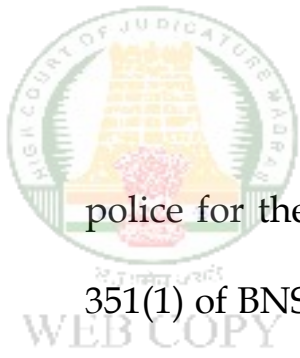
PETITION FOR ANTICIPATORY BAIL Under Sec.482 of BNSS

PRAYER :-

For Anticipatory Bail in Crime No.209 of 2024 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioner/ Accused, who apprehends arrest at the hands of the respondent



police for the offences punishable under Sections 191(2), 329(4), 296(b), 115(1), 305, 351(1) of BNS, in Cr.No.209 of 2024, seeks anticipatory bail.

2.The case of the prosecution is that the defacto complainant borrowed a sum of Rs,9,00,000/- from the petitioner's son/ A1 towards her family needs by executing a power deed in favour of him. Thereafter, the petitioner's son, executed a sale deed to the third party by forging a life certificate and insisted her to vacate the property. When the same was questioned, they abused the defacto complainant and her family members in filthy language and threatened them with dire consequences. Further, they trespassed into the house of the defacto complainant and looted the house-hold articles and jewels. Hence, the complaint.

3.Heard both sides.

4.Considering the nature of the allegations that after advancing a loan amount in the guise of a mortgage, a power of attorney was sought to be executed, and by forging a life certificate, further sale deeds are executed, and after execution of sale deeds, the property was tried to be taken possession and the house-hold articles and jewels looted, I am of the view that the petitioner is the only mother of the accused No.1 / power of attorney, and a role played by her seems to be that when house-hold articles and jewels are being taken out of the house, she was also present in the scene, and she is aged about 74 years, this Court is inclined to grant 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 learned Judicial Magistrate, Karaikudi, Sivagangai District, on 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 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) the petitioner 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 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]; and;

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

sd/-  
09/09/2024

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/ /2024

Sub-Assistant Registrar (C.S.)  
Madurai Bench of Madras High Court,  
Madurai - 625 023.

TO

1 THE JUDICIAL MAGISTRATE  
KARAIKUDI SIVAGANGAI DISTRICT.

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

3 THE STATE OF TAMILNADU  
REP. BY, THE INSPECTOR OF POLICE, SOUTH  
POLICE STATION, KARAIKUDI, SIVAGANGAI  
DISTRICT.

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



+1 CC to M/s.S.MUNIYANDI, Advocate ( SR-11028[I] dated 09/09/2024 )

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ORDER  
IN

CRL OP(MD) No.14876 of 2024

Date : 09/09/2024

BV(21/09/2024) 5P/ 6C

Madurai Bench of Madras High Court is issuing certified copies in this format from 17.07.2023.