



CRL OP(MD). No.15011 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 06/09/2024

PRESENT

The Hon`ble Mr.Justice D.BHARATHA CHAKRAVARTHY

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R.Hemalatha,

... Petitioner/Sole Accused

Vs

The State of Tamilnadu,
Rep. by the Inspector of Police,
District Crime Branch,
Trichy, Trichy District.
(Crime No.33/2023).

... Respondent/Complainant

For Petitioner : Mr.Ramasamy S,
Advocate.

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

For Intervenor : Mr.R.Senthil Kumar, Advocate

PETITION FOR BAIL Under Sec.483 of BNSS

PRAYER :- For Bail in Crime No.33/2023 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 07.08.2024 for the offences punishable under Sections 420, 406, 408, 467 and 471 I.P.C, in crime No.33 of 2023 on the file of the respondent police, seeks bail.

2. The case of the prosecution is that the petitioner along with other accused without paying any sale consideration or without the knowledge of the defacto



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complainant, from the other two partners, who had only put up the superstructure, they are said to have entered into an agreement and tried to usurp the property.

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

4. Considering the nature of the allegations that in respect of the land belonging to the de facto complainant without paying any sale consideration or without the knowledge of the defacto complainant, from the other two partners, who had only put up the superstructure, the petitioner is said to have entered into an agreement and tried to usurp the property and considering the fact that the petitioner was arrested on 07.08.2024 and that the building is now standing sealed and considering the fact that the other two persons are not even arrayed as an accused and only now the prosecution is contemplating to add them as an accused or not, I am of the view that the petitioner can be enlarged on bail with certain conditions.

5. 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 learned Judicial Magistrate No.I, Trichirappalli.

(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



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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 three weeks and thereafter as and when required for interrogation. It is made clear that no relaxation of the condition for the said period will be entertained by this court;

(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 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].

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

sd/-
06/09/2024

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06/09/2024
Sub-Assistant Registrar
Madurai Bench of Madras High Court,
Madurai - 625 023.



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TO

1 THE JUDICIAL MAGISTRATE NO.I,
TRICHIRAPPALLI.

2 DO THROUGH THE CHIEF JUDICIAL
MAGISTRATE, TRICHY DISTRICT.

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

4 THE OFFICER INCHARGE,
MAHALIR PRISON, TRICHIRAPPALLI.

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

ORDER IN

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Date :06/09/2024

SA/SAR. /06.09.2024/4P/6C

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